Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Complete Title

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

REVISED EDITION

This edition of *Barclays Official California Code of Regulations*, revised on April 1, 1990, has been published under the direction of the California Office of Administrative Law which is solely responsible for its contents. Comments or questions regarding regulations published in this edition should be addressed to the State of California, Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814, (916) 323–6225. Errors reported will be promptly corrected in subsequent supplements.

OFFICIAL PUBLICATION

Courts are required to take judicial notice of contents of regulations published in the *Official California Code of Regulations* (Gov. Code, § 11344.6). *Barclays Official California Code of Regulations*, as revised April 1, 1990, has been certified by the Office of Administrative Law as the official publication of the State of California for this purpose pursuant to title 1, *California Code of Regulations*, section 190.

CODE SUPPLEMENTS

Amendments to the official Code are certified weekly by the Office of Administrative Law for publication by Barclays. These amendments, when certified and published, become part of the *Official California Code of Regulations*, beginning with Register 90, No. 14, dated April 7, 1990, and include all regulations filed with the Secretary of State on or after April 1, 1990. Amendment subscriptions to the entire revised Code, or to parts of it, are available from the publisher. For a descriptive brochure and order form, write Barclays Official California Code of Regulations, P.O. Box 2008, San Francisco, CA 94126 or telephone 800–888–3600.

CODE CITATION

Cite all materials in the *Official California Code of Regulations* by title number and section number. Example: Title 3, *California Code of Regulations*, section 432 (Short form: Cal. Code Regs., tit. 3, § 432).

COPYRIGHT NOTICE

© 2008, STATE OF CALIFORNIA.
This material may not be commercially reproduced or sold in print or electronic forms without written permission of Thomson/West.

Organization of Title 26

Title 26 is a compilation of toxic regulations issued by State regulatory agencies and published for the first time in one title of the *California Administrative Code* in August 1986.* Please note that these toxic regulations are also found in the original titles assigned to each agency.

Title 26 is organized with the agencies listed in numerical sequence according to their original title assignments. The regulatory sections within each division of Title 26 also reflect the original section number assignments and are arranged in numerical sequence.

Removal of Sections from Title 26

Beginning in March 1996 with Register 96, Number 12, certain agencies removed some or all of their regulations from Title 26. However, these regulations still exist in their original titles.

For the current version or history of a regulation removed from Title 26, see that regulation in its original title.

The agencies that removed regulations and the titles in which those regulations may be found are as follows.

Agency	*Title*
Department of Pesticide Regulation	3
California Occupational Safety and Health	8
Air Resources Board	13, 17
California Integrated Waste Management Board	14
Office of Environmental Health Hazard Assessment	22
Department of Toxic Substances Control	22
State Water Resources Control Board	23
California Environmental Protection Agency	27

*The name *California Administrative Code* was changed to *California Code of Regulations* effective January 1, 1988.

Title 26. Toxics

TABLE OF CONTENTS

		Page
Division 1.	State Lands Commission (Title 2)	1
Division 2.	Department of Food and Agriculture (Title 3)	3
Division 3.	Bureau of Home Furnishings (Title 4)	5
Division 4.	California Occupational Safety and Health Regulations (CAL/OSHA) (Title 8) [Removed]	9
Division 5.	Insurance Commissioner (Title 10)	11
Division 5.1.	Department of Motor Vehicles (Title 13)	13
Division 6.	California Highway Patrol (Title 13)	17
Division 7.	Air Resources Board (Title 13)	77
Division 8.	Department of Forestry (Title 14)	81
Division 9.	Department of Conservation—Division of Oil and Gas (Title 14)	83
Division 10.	Department of Parks and Recreation (Title 14)	89
Division 10.1.	California Integrated Waste Management Board (Title 14) [Removed]	91
Division 11.	State Board of Fabric Care (Title 16)	93
Division 12.	Board of Barbering and Cosmetology (Title 16)	95
Division 13.	Board of Funeral Directors and Embalmers (Title 16)	97
Division 14.	Board of Pharmacy (Title 16)	99
Division 15.	Structural Pest Control Board (Title 16)	101
Division 16.	Bureau of Automotive Repair (Title 16)	103
Division 17.	Department of Health Services (Title 17)	121
Division 18.	Air Resources Board (Title 17) [Removed]	165
Division 18.1.	State Board of Equalization (Title 18)	167
Division 19.	State Fire Marshal (Title 19)	169
Division 19.1.	Office of Emergency Services (Title 19)	173
Division 20.	State Energy Resources Conservation and Development Commission (Title 20)	249
Division 21.	Department of Transportation (Title 21)	253
Division 21.5.	Health and Welfare Agency (Title 22) [Removed]	255
Division 22.	Department of Health Services (Title 22)	257
Division 23.	State Water Resources Control Board (Title 23) [Removed]	301
Division 27.	Environmental Protection Agency (Title 27) [Removed]	303

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 1. State Lands Commission

(Title 2)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 1. State Lands Commission

TABLE OF CONTENTS

Page

Division 1. State Lands Commission 1

§ 2-2133. General Provisions.
§ 2-2134. Definitions.
§ 2-2135. Administration.
§ 2-2136. Prohibition of Pollution.
§ 2-2137. Suspension of Operations and Corrective Action.
§ 2-2138. Disposal of Drill Cuttings and Drilling Muds.
§ 2-2139. Oil Spill Contingency Plan.
§ 2-2140. Pollution Control and Removal Equipment.
§ 2-2141. Critical Operations and Curtailment Plans.
§ 2-2142. Pollution Reports.

TITLE 26. TOXICS

Division 1. State Lands Commission (Title 2)

§ 2–2133. General Provisions.

(a) This Article 3.4 pertains to oil and gas drilling and production operations on State oil and gas leases located on State tide and submerged lands under the jurisdiction of the State Lands Commission, and is applicable to operations conducted from mobile rigs, fixed offshore structures and upland locations serving these leases.

(b) In addition to complying with Division 6 of the California Public Resources Code and with Title 2, Division 3, Chapter 1 of the California Administrative Code, the lessee shall comply with all applicable laws, rules and regulations now or hereafter promulgated of the United States of the State of California and of any respective political subdivision thereof, including, but not limited to, those of the Division of Oil and Gas, the Department of Fish and Game, the Division of Industrial Safety, the State Water Resources Control Board, and the Regional Water Quality Control Board, the California Coastal Commission, and any respective successors thereto.

(c) All operations conducted on State oil and gas leases shall be carried on in a proper and workmanlike manner in accordance with accepted good oilfield practice.

NOTE: Authority cited: Sections 6103, 6108, 6216, 6301, and 6873(d), Public Resources Code; and Section 11152, Government Code. Reference: Sections 6005, 6216, 6301, 6871, 6871.1, 6873(d), Public Resources Code.

HISTORY

1. New Article 3.4 (Sections 2133–2142) filed 6–13–80; effective thirtieth day thereafter (Register 80, No. 24).

§ 2–2134. Definitions.

For purposes of this Article 3.4 the following definition shall apply:

(a) "Staff" shall mean the Executive Officer or other duly authorized member of the Staff of the State Lands Commission.

NOTE: Authority cited: Sections 6103, 6108, 6216, 6301, and 6873(d), Public Resources Code; and Section 11152, Government Code. Reference: Sections 6005, 6216, 6301, 6871, 6871.1, 6873(d), Public Resources Code.

§ 2–2135. Administration.

(a) The Staff shall administer this Article 3.4 and shall thereby seek to provide for the prevention and elimination of any contamination or pollution of the ocean and tidelands, for the prevention of waste and for the conservation of natural resources, and for the protection of human health and safety and of property.

(b) The Commission has designed these regulations in as great detail as possible. However, the Commission recognizes that situations may arise which are not specifically covered by this Article 3.4 and that emergency situations may arise which will require immediate decisions by the Staff. In such situations, the Executive Officer or his designee may authorize appropriate procedures to be followed.

NOTE: Authority cited: Sections 6103, 6108, 6216, 6301, and 6873(d), Public Resources Code; and Section 11152, Government Code. Reference: Sections 6005, 6216, 6301, 6871, 6871.1, 6873(d), Public Resources Code.

§ 2–2136. Prohibition of Pollution.

(a) Pollution and contamination of the ocean and tidelands and any impairment of or interference with recreation, fishing, or navigation in the waters of the ocean or any bay or any inlet thereof is prohibited; and no oil, tar, residuary product of oil or any refuse of any kind from any well or facility that is deleterious to marine life shall be permitted to be deposited on or pass into the waters of the ocean or any bay or any inlet thereof.

(b) All drilling and production operations shall be conducted in a manner that will eliminate, insofar as is practical, any dust, noise, vibration, or noxious odors.

NOTE: Authority cited: Sections 6103, 6108, 6216, 6301 and 6873(d), Public Resources Code; and Section 11152, Government Code. Reference: Sections 6005, 6216, 6301, 6871, 6871.1, 6873(d), Public Resources Code.

§ 2–2137. Suspension of Operations and Corrective Action.

A lessee shall suspend immediately any drilling and production operations, except those which are corrective, protective, or mitigative, in the event of any disaster of or contamination or pollution caused in any manner or resulting from drilling and/or production operations under its lease. Such drilling and/or production operations shall not be resumed until adequate corrective measures have been taken and authorization for resumption of such operations has been made by the Staff. Corrective measures shall be taken immediately whenever pollution has occurred.

NOTE: Authority cited: Sections 6103, 6108, 6216, 6301 and 6873(d), Public Resources Code; and Section 11152, Government Code. Reference: Sections 6005, 6216, 6301, 6871, 6871.1, 6873(d), Public Resources Code.

§ 2–2138. Disposal of Drill Cuttings and Drilling Muds.

The lessee shall dispose of those drill cuttings and drilling muds associated with drilling and production well work, in accordance with regulations promulgated by the appropriate Regional Water Quality Control Board. The method employed to dispose of the drill cuttings and drilling muds shall be submitted to the Staff for approval along with the drilling mud program that is required in Section 2128(d)(1).

NOTE: Authority cited: Sections 6103, 6108, 6216, 6301 and 6873(d), Public Resources Code; and Section 11152, Government Code. Reference: Sections 6005, 6216, 6301, 6871, 6871.1, 6873(d), Public Resources Code.

§ 2–2139. Oil Spill Contingency Plan.

Each lessee shall prepare and maintain a current oil spill contingency plan for initiating corrective action to control and recover oil spilled in or on the ocean. The plan shall cover both minor and major oil spills associated with lease drilling and production operations. The plan and any subsequent revisions thereto shall be submitted for approval by the Staff.

NOTE: Authority cited: Sections 6103, 6108, 6216, 6301 and 6873(d), Public Resources Code; and Section 11152, Government Code. Reference: Sections 6005, 6216, 6301, 6871, 6871.1, 6873(d), Public Resources Code.

§ 2–2140. Pollution Control and Removal Equipment.

(a) Pollution control equipment and material shall be available immediately to each lessee for use in oil pollution control and removal operations on its lease. The equipment and material shall include, but need not be limited to, containment booms, skimming apparatus, licensed chemicals, and absorbents, and shall be the most effective available given the current state of pollution control and removal research and development at the time of acquisition. The lessee shall, however, update such equipment whenever any significant technological improvements are developed.

(b) Emergency equipment shall be maintained on each mobile drilling rig and fixed offshore drilling or production facility for immediate clean-up of small oil spills. Each mobile drilling rig shall be equipped with a minimum of 1500 feet of oil containment boom, an oil skimming or recovery device that is capable of open ocean use, and an amount of absorbent material sufficient to remove 15 barrels of spilled oil. In addition, a boat that is capable of deploying this equipment shall be maintained on-site or available to the rig within 15 minutes. The equipment and material required on each fixed offshore drilling or production facility shall be determined and approved by the staff on an individual basis considering the type of structure, location, current activity, oil production capability, method of well production and other factors peculiar to the facility.

Equipment for the control and removal of larger oil spills shall be maintained at an offshore or onshore location near the area of lease operations where deployment and response to the spill would provide the most feasible protection of coastal resources. All equipment shall be inspected regularly and shall be maintained in good condition for immediate use.

(c) The lessee shall conduct training classes and periodic drills in the deployment and use of pollution control and removal equipment, to ensure that designated personnel can carry out the assignments which are necessary for effective control and removal of oil spilled in or on the ocean.

(d) The lessee shall maintain an inventory of the emergency equipment that is stored on each mobile drilling rig and offshore drilling or production facility as well as an inventory showing the description, application, and location of all pollution control and removal equipment that is immediately available for a major oil spill. In addition, the lessee shall maintain a listing of equipment, material, services, and labor forces that are immediately available for beach cleanup and restoration operations. The inventories shall be updated as changes occur and current copies shall be filed with the Staff annually.

(e) All mobile drilling rigs and offshore drilling or production facilities shall be equipped in a manner that will prevent spilling of contaminants in the ocean. Any fluids spilled shall be collected in a sump(s) that is provided with appropriate pumping equipment, liquid level controls, and alarms to prevent accidental discharge of contaminants into the ocean waters.

NOTE: Authority cited: Sections 6103, 6108, 6216, 6301 and 6873(d), Public Resources Code; and Section 11152, Government Code. Reference: Sections 6005, 6216, 6301, 6871, 6871.1, 6873(d), Public Resources Code.

§ 2–2141. Critical Operations and Curtailment Plans.

The primary purpose of a Critical Operations and Curtailment Plan is to provide additional precautionary measures to minimize the likelihood of an oil spill incident occurring from offshore drilling and production well work during (1) adverse weather and sea conditions when oil spill containment and recovery equipment, material and techniques are not effective and marine transportation is severely hampered; and (2) the time that oil spill containment and recovery equipment, material, manpower, and transportation thereof are not readily available to the site of operation.

Certain operations performed in drilling and production well work are more critical than others with respect to well control and accidental discharge of oil and gas. This is particularly so when subsurface forations are exposed in the well that are capable of flowing oil and gas to the surface or when the well has been pressured by outside means. It is these critical operations that should be ceased, limited or not commenced in order to minimize the likelihood of an oil spill occurring during adverse weather and sea conditions which could seriously impede both well control and oil cleanup efforts.

The lessee shall file with the Staff, for its approval, a Critical Operations and Curtailment Plan to be followed while conducting drilling and/or production well work on the lease. A plan shall be filed for each exploratory well as required in Section 2128(d)(2) in order to accommodate different drilling rigs, circumstances and conditions. A separate plan shall be filed for development drilling and production well work on the lease. These plans shall contain the following:

(a) A descriptive list of the critical drilling and production well work that is likely to be conducted on the lease, such as:

(1) Drilling in close proximity to another well.

(2) Drilling into a known lost circulation zone or into a zone capable of flowing oil and/or gas.

(3) Continuation of drilling into zones that are suspected to be capable of flowing oil and/or gas or into zones suspected to be abnormally pressured.

(4) If zones capable of flowing oil and/or gas are exposed or suspected to be exposed in the well then the following are considered to be critical operations:

(A) Pulling out of the hole.

(B) Fishing operations.

(C) Drill–Stem testing.

(D) Wireline logging in open hole.

(E) Running casing.

(F) Cutting and recovering casing.

(G) Perforating casing.

(H) Well completion work.

(I) Remedial well work.

(J) Well stimulation.

(b) A descriptive list of circumstances or conditions under which the critical drilling and production well work shall be ceased, limited, or not commenced. This list shall be developed from all the factors and conditions relating to the lease and shall take into account but may not to be limited to the following:

(1) Whether or not well operations are being conducted from a mobile rig or a fixed structure.

(2) Adverse meteorological or oceanographical conditions exist or are anticipated soon.

(3) Limited availability and capability of oil containment and cleanup equipment.

(4) Significant increase in oil spill control system response time for any reason.

(5) Personnel or equipment for conducting a particular critical operation are not available.

(6) Insufficient supply of drilling mud materials on the drill site for emergency well control purposes.

(7) Transportation equipment for personnel, supplies and oil spill containment and cleanup equipment is not readily available.

(8) Construction and maintenance work involving welding, moving heavy equipment, etc. is being performed.

(9) Other factors peculiar to the particular lease under consideration.

(c) When any circumstance or condition listed or described in the plan occurs or other operational limits are encountered, the lessee shall cease, limit, or not commence the affected critical operation(s) as set forth in Section 2141(a).

(d) Any deviation from the approved plan shall require prior written approval by the Staff. If emergency action requires deviation from the plan, and there is inadequate time to seek the Staff's approval, the Staff shall be notified immediately after said deviation occurs.

(e) The plan shall be reviewed at least annually and any changes thereto shall be submitted to the Staff for approval.

§ 2–2142. Pollution Reports.

(a) All spills or leakage of oil and liquid pollutants originating from operations on State oil and gas leases shall be reported orally without delay to the United States Coast Guard and to the State Office of Emergency Services in Sacramento. Subsequent to oral notification, a written report shall be filed with the State Lands Commission, stating the source, cause, size of spill and the action taken.

(b) Lessees shall report orally to the three authorities indicated in Section 2142(a) any pollution of unknown source or pollution unassociated with lease operations that is observed on or in State waters.

(c) Lessees shall notify one another of information regarding equipment malfunction or of information regarding pollution resulting from another's operation.

NOTE: Authority cited: Sections 6103, 6108, 6216, 6301 and 6873(d), Public Resources Code; and Section 11152, Government Code. Reference: Sections 6005, 6216, 6301, 6871, 6871.1, 6873(d), Public Resources Code.

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 2. Department of Food and Agriculture

(Title 3)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 2. Department of Food and Agriculture

TABLE OF CONTENTS

Page

Division 2. Department of Food and Agriculture 3

§ 3–300. Permit Processing Times (Including Licenses, Permits, Registrations and Certificates).

Division 2. Department of Food and Agriculture

(Title 3)

§ 3–300. Permit Processing Times (Including Licenses, Permits, Registrations and Certificates).

(a) Within the number of calendar days of receipt of an application for a permit shown in column A of subsection (c), the Department shall inform the applicant in writing that the application is either complete and accepted for filing, or that it is deficient, and what specific information or documentation is required to complete the application. An application is considered complete if all necessary fees and information required by the application form have been submitted.

(b) Within the number of calendar days after receipt of a complete application, as shown in column B of subsection (c), the Department shall approve or disapprove the application.

(c) The Department's minimum, median, and maximum time periods, in calendar days, for processing an application from the receipt of the initial application to the final decision, based on the Department's actual performance during the two years immediately preceding the proposal of this section, are shown in columns C, D, and E of the chart which follows:

	A	*B*	*C*	*D*	*E*
Permit Type	*Maximum time for notifying that application is complete or deficient* (Days)	*Maximum time after receipt of a complete application to approve or deny permit* (Days)	*ACTUAL DAYS TO PROCESS BASED ON PRIOR TWO YEARS* *Minimum*	*Median* (Days)	*Maximum*
(1) Animal Health and Food Safety Services:					
Livestock Meat Inspector License[1]	14	60	1	29	325
Poultry Meat Inspector License[1]	14	60	5	76	162
Retail Meat Processing Establishment License[1]	14	60	1	34	237
Custom Livestock Slaughter Establishment License[1]	14	60	6	62	163
Poultry Plant License[1]	14	60	19	68	194
Pet Food Processor[1]	14	60	48	116	185
Horsemeat and Pet Food Importers[1]	14	60	15	32	49
Dead Hauler License	14	60	4	11	13
—Renewal	14	60	2	4	5
Renderer License	14	60	22	37	216
—Renewal	14	60	7	10	33
Collection Center License	14	60	7	24	74
—Renewal	14	60	2	34	59
Inedible Kitchen Grease Transporter Registration	14	60	3	5	13
—Renewal	14	60	3	16	93
License for the Production of Biologics	30	30	12	27	169
—Renewal	30	30	2	21	47
License to Feed Garbage to Swine[1]	10	10	11	11	11
License for Vessel and Aircraft Garbage Collection[2]	14	45	8	37	60
Limited Dairy Inspector Certificate[2]	30	60	16	17	37
Registered Dairy Inspector Certificate[2]	60	140	36	68	142
Certificate of Proficiency in the Analysis of Milk and Milk Products[2]	30	90	1	28	76
Frozen Milk Products Plant License[1]	60	90	4	29	161
Milk Products Plant License	60	90	16	29	130
—Renewal	30	60	1	10	53
Semi-Frozen Milk Products Plant License[1]	30	90	1	11	268
Bulk Milk Tanker Permit	60	90	No historical record.		
— Renewal	60	90	No historical record.		
(2) Division of Inspection Services:					
Commercial Feed License[1]	14	45	1	13	103
Fertilizing Materials License[1]	14	60	1	25	153
Fertilizing Materials Registration	14	90	1	61	240
—Renewal	14	90	4	54	239
Livestock Drug—Registration	14	60	1	28	162
—Renewal	14	45	1	16	243
Restricted Livestock Drug—License	14	60	1	12	83
—Renewal	14	45	1	22	58
(3) Division of Marketing Services					
Produce Dealer Act Licenses[1,3]	45	90	1	36	195
Processor or Cash Buying Processor License[1]	45	90	9	48	147
Conjunctive License[1]	45	90	8	60	183
Agent's License[1]	45	90	1	9	70
Milk Handler License[4]	45	90	1	12	91
—Renewal	45	90	1	16	188
(4) Plant Health and Pest Prevention Services					
Seed, Authorization to Sell	14	75	3	20	78
—Renewal	14	60	1	10	39
Nursery Stock, License to Sell	14	60	16	37	123
—Renewal	14	45	6	16	43
Permit to Move and Use Live Plant Pests or Insects or Noxious Weeds[2]	30	90	1	14	102
Permit to Move and Use Plant Quarantine Commodities[2]	30	90	1	17	150
Cotton Research Authorization	45	60	No historical record.		

[1]Median processing time for renewals does not exceed 7 days.
[2]Not subject to Renewal.
[3]Includes Broker, Cash Buyer, Commission Merchant, Dealer, or any combination.
[4]Includes Handlers and Distributors.
NOTE: Authority cited: Section 15376, Government Code; and Section 407, Food and Agricultural Code. Reference: Section 15376, Government Code.

HISTORY

1. New section filed 11–28–89; operative 1–1–90 (Register 89, No. 49).
2. Change without regulatory effect pursuant to section 100, title 1, California Code of Regulations filed 5–2–90; operative 5–2–90 (Register 90, No. 24).
3. Amendment of subsection (c) filed 6–4–90; operative 7–4–90 (Register 90, No. 29).
4. Editorial correction of printing error duplicating subsections (a)–(c) (Register 90, No. 46).
5. Amendment of subsection (c) filed 2–25–91; operative 3–27–91 (Register 91, No. 13).
6. Change without regulatory effect amending article heading and subsection (c) filed 9–2–93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 36).
7. Amendment of subsection (c)(4) filed 3–4–99 as an emergency; operative 3–4–99 (Register 99, No. 10). A Certificate of Compliance must be transmitted to OAL by 7–2–99 or emergency language will be repealed by operation of law on the following day.
8. Certificate of Compliance as to 3–4–99 order transmitted to OAL 6–16–99 and filed 7–27–99 (Register 99, No. 31).
9. Amendment of subsection (c)(1) filed 10–25–2001 as an emergency; operative 10–25–2001 (Register 2001, No. 43). A Certificate of Compliance must be transmitted to OAL by 2–22–2002 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 10–25–2001 order transmitted to OAL 2–15–2002 and filed 4–2–2002 (Register 2002, No. 14).
11. Amendment of subsection (c)(1) filed 7–1–2002; operative 7–31–2002 (Register 2002, No. 27).
12. Amendment of subsection (c)(1) filed 4–3–2003; operative 5–3–2003 (Register 2003, No. 14).

§§ 3–2300.1—3–6920. [Removed]

HISTORY

1. Removal of sections 3–2300.1—3–6920 from title 26 filed 3–25–96 pursuant to Cal. Code. Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 3 (Register 96, No. 13).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 3. Bureau of Home Furnishings

(Title 4)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 3. Bureau of Home Furnishings

TABLE OF CONTENTS

Page

Division 3. Bureau of Home Furnishings 5

§ 4–1251. Methods of Sanitization.
§ 4–1255. Records.
§ 4–1256. Official Sanitization Label Requirements.
§ 4–1257. Storage of Formaldehyde.
§ 4–1258. Method of Sanitization.
§ 4–1259. Vacuum Chemical Method.
§ 4–1260. Dry Heat Method.
§ 4–1264. Chemical Method.
§ 4–1265. Disinfecting.
§ 4–1266. Official Sanitization Label Requirements.
§ 4–1266.1. Disinfecting.
§ 4–1267. Removal of Red Tags After Sterilization.

Division 3. Bureau of Home Furnishings

(Title 4)

§ 4–1251. Methods of Sanitization.

(a) Any method of sanitization not provided for herein shall be submitted to the Bureau for testing and consultation with the State Department of Health Services before adoption or use.

(b) Unless otherwise specifically provided for, the chief of the bureau shall determine the method to be employed in the sanitization of any article or material subject to the provisions of the act and these regulations.

(c) Secondhand (used) fabrics shall not contain any of the following adulterants: visible soiling or stains, extraneous materials, sludge, oil, grease, fat, filth, excreta, skin, epidermis, blood, urine, feces, disagreeable odors or other contamination.

(d) Secondhand (used) materials which are contaminated shall be sanitized as set forth in Sections 1252 or 1253 of these regulations.

(e) Mattresses containing a porous material or fabric may be sanitized by using the dry heat method in Section 1252 or the chemical disinfectant, Steri–fab, as set forth in Section 1253.

(f) Baled filling materials shall not be sanitized while still in the bale.

(g) Detachable mattresses and pads within hide–a–beds shall be removed from such articles and sanitized.

NOTE: Authority cited: Section 19034, Business and Professions Code. Reference: Sections 19120, 19121, 19123.6 and 19124, Business and Professions Code.

HISTORY

1. New subsection (b) filed 7–1–68; effective thirtieth day thereafter (Register 68, No. 25).
2. New NOTE filed 12–10–81 as procedural and organizational; effective upon filing (Register 81, No. 50).
3. Amendment of subsection (a) filed 10–15–82; effective thirtieth day thereafter (Register 82, No. 42).
4. Amendment filed 7–24–96; operative 8–23–96 (Register 96, No. 30).
5. Repealer and new section filed 8–19–98; operative 8–19–98 pursuant to Government Code section 11343.4(d) (Register 98, No. 34).

§ 4–1255. Records.

(a) Records shall be kept in a bound *log* book and shall include:

(1) the date of sanitization;

(2) the chamber letter, if any;

(3) the lot numbers in consecutive order;

(4) the name of the person *and or company* for whom sanitized.

(b) The numbers and types of items sanitized must be recorded.

(c) Damaged labels shall be entered into the *bound* log book as "Damaged" and maintained for inspection.

(d) Records kept in the bound log book must be retained on the business premises for not less than 5 years.

(d) The following is a sample format for recording required information.

Dry Heat Sanitation Record Log (example)

Date	*Oven No.*	*Lot No.*	*Label Nos.*	*Articles*	*Company Name*
1/7/98	A	1	1000–1011	5 mattresses 5 boxsprings	Salvation Army
1/7/98	A	2	1012–1022	5 mattresses 5 boxsprings	ABC Thrift
1/7/98	A	1	1010	VOID	VOID

Chemical Sanitation Record Log (example)

Date	*Chemical*	*Lot No.*	*Label Nos.*	*Articles*	*Company Name*
1/7/98	Steri–Fab	2	1023–1034	5 mattresses 5 boxsprings	Salvation Army
1/7/98	Steri–Fab	3	1034–1040	3 mattresses 3 boxsprings	Salvation Army
1/7/98			1033	VOID	VOID

NOTE: Authority cited: Section 19034, Business and Professions Code. Reference: Sections 19124 and 19127.6, Business and Professions Code.

HISTORY

1. New section filed 8–19–98; operative 8–19–98 pursuant to Government Code section 11343.4(d) (Register 98, No. 34). For prior history, see Register 96, No. 30.

§ 4–1256. Official Sanitization Label Requirements.

(a) All articles of bedding or bulk filling materials which have undergone an approved method of sanitization shall have a sanitization label firmly attached to the item in such an area so as to be easily and readily discernable. Sanitization labels shall be affixed to the item sanitized with silicate of soda or any type of adhesive approved by the Bureau.

(b) Sanitization labels shall be constructed of erasure–proof paper and shall be of a grade that will not change color on application of adhesive.

(c) Color of label shall be yellow and the printing shall be in black ink.

(d) Statements and headings on a sanitization label shall be as follows:

(1) "Under penalty of law this tag shall not be removed except by the consumer."

(2) "Certification is made that this secondhand article has been sanitized by a process approved pursuant to Division 8, Chapter 3, Article 6, of the Business and Professions Code" (The Home Furnishings and Thermal Insulation Act).

(3) Lot number in which the article was sanitized.

(4) Sanitization label number. (Every label shall be numbered, the numbers shall run consecutively, and no duplicate numbers shall be used).

(5) Name of the article or filling material sanitized.

(6) Method must be printed or stamped: dry heat or chemical disinfectant.

(7) Date sanitized.

(8) Name and address of sanitizing plant.

(9) Registry number assigned to the sanitizing plant by the Bureau.

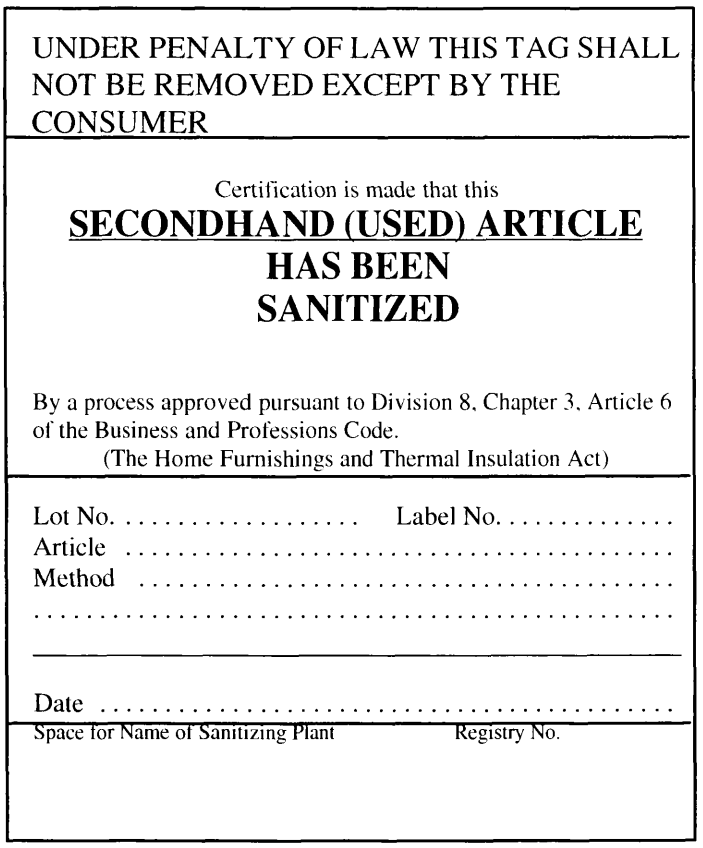
(e) Size of sanitization label and type of printing.

(1) The minimum size of labels shall be 3 x 3 inches.

(2) The words "Secondhand Article" and "Sanitized" shall be a minimum of 3/8″ in height in capital letters.

(3) All printing shall be in English.

(f) Form of Label.



(YELLOW LABEL)

The words "SECONDHAND (USED) ARTICLE" and "SANITIZED" shall be a minimum of 3/8″ in height in capital letters.

Sanitization labels shall be affixed to the article sanitized with silicate of soda or any type of approved adhesives.

NOTE: Authority cited: Sections 19034 and 19127, Business and Professions Code. Reference: Sections 19124.5 and 19127, Business and Professions Code.

HISTORY

1. Amendment filed 8–17–66; effective thirtieth day thereafter (Register 66, No. 27).
2. New NOTE filed 12–10–81 as procedural and organizational; effective upon filing (Register 81, No. 50).
3. Amendment of section and form filed 7–24–96; operative 8–23–96 (Register 96, No. 30).
4. Repealer and new section filed 8–19–98; operative 8–19–98 pursuant to Government Code section 11343.4(d) (Register 98, No. 34).

§ 4–1257. Storage of Formaldehyde.

NOTE: Authority cited: Section 19034, Business and Professions Code. Reference: Section 19124, Business and Professions Code.

HISTORY

1. New NOTE filed 12–10–81 as procedural and organizational; effective upon filing (Register 81, No. 50).
2. Repealer filed 7–24–96; operative 8–23–96 (Register 96, No. 30).

§ 4–1258. Method of Sanitization.

NOTE: Authority cited: Section 19034, Business and Professions Code. Reference: Sections 19120, 19123.6 and 19124, Business and Professions Code.

HISTORY

1. Amendment filed 8–17–66; effective thirtieth day thereafter (Register 74, No. 19).
2. New NOTE filed 12–10–81 as procedural and organizational; effective upon filing (Register 81, No. 50).
3. Amendment filed 10–15–82; effective thirtieth day thereafter (Register 82, No. 42).
4. Amendment of section heading, section and NOTE filed 7–24–96; operative 8–23–96 (Register 96, No. 30).
5. Repealer filed 8–19–98; operative 8–19–98 pursuant to Government Code section 11343.4(d) (Register 98, No. 34).

§ 4–1259. Vacuum Chemical Method.

NOTE: Authority cited: Section 19034, Business and Professions Code. Reference: Section 19124, Business and Professions Code.

HISTORY

1. New NOTE filed 12–10–81 as procedural and organizational; effective upon filing (Register 81, No. 50).
2. Repealer filed 7–24–96; operative 8–23–96 (Register 96, No. 30).

§ 4–1260. Dry Heat Method.

NOTE: Authority cited: Section 19034, Business and Professions Code. Reference: Section 19124, Business and Professions Code.

HISTORY

1. Amendment filed 7–31–56; effective thirtieth day thereafter (Register 74, No. 19).
2. Amendment filed 5–1–59; designated as effective June 1, 1959 (Register 59, No. 7).
3. New NOTE filed 12–10–81 as procedural and organizational; effective upon filing (Register 81, No. 50).
4. New subsection (d) filed 10–15–82; effective thirtieth day thereafter (Register 82, No. 42).
5. Amendment filed 7–24–96; operative 8–23–96 (Register 96, No. 30).
6. Repealer filed 8–19–98; operative 8–19–98 pursuant to Government Code section 11343.4(d) (Register 98, No. 34).

§ 4–1264. Chemical Method.

NOTE: Authority cited: Section 19034, Business and Professions Code. Reference: Section 19124, Business and Professions Code.

HISTORY

1. Repealer of former Section 1264 and renumbering and amendment of former Section 1266 to Section 1264 filed 10–15–82; effective thirtieth day thereafter (Register 82, No. 42). For prior history, see Register 81, No. 50; 68, No. 25; and 66, No. 27.
2. Amendment filed 7–24–96; operative 8–23–96 (Register 96, No. 30).
3. Repealer filed 8–19–98; operative 8–19–98 pursuant to Government Code section 11343.4(d) (Register 98, No. 34).

§ 4–1265. Disinfecting.

NOTE: Authorized cited: Section 19034, Business and Professions Code. Reference: Section 19124, Business and Professions Code.

HISTORY

1. Repealer of Section 1265 and renumbering and amendment of former Section 1266.1 to Section 1265 filed 10–15–82; effective thirtieth day thereafter (Register 82, No. 42). For prior history, see Registers 81, No. 50 and 68, No. 25).
2. Amendment filed 7–24–96; operative 8–23–96 (Register 96, No. 30).
3. Repealer filed 8–19–98; operative 8–19–98 pursuant to Government Code section 11343.4(d) (Register 98, No. 34).

§ 4–1266. Official Sanitization Label Requirements.

NOTE: Authority cited: Sections 19034 and 19127, Business and Professions Code. Reference: Sections 19124.5 and 19127, Business and Professions Code.

HISTORY

1. Renumbering of former Section 1266 to Section 1264, and renumbering and amendment of former Section 1267 to Section 1266 filed 10–15–82; effective thirtieth day thereafter (Register 82, No. 42). For prior history, see Registers 81, No. 50; 68, No. 25; and 66, No. 27.
2. Amendment of section heading, section and form filed 7–24–96; operative 8–23–96 (Register 96, No. 30).
3. Repealer filed 8–19–98; operative 8–19–98 pursuant to Government Code section 11343.4(d) (Register 98, No. 34).

§ 4–1266.1. Disinfecting.

NOTE: Authority cited: Section 19034, Business and Professions Code. Reference: Section 19124, Business and Professions Code.

HISTORY

1. New section filed 7–1–68; effective thirtieth day thereafter (Register 68, No. 25).
2. New NOTE filed 12–10–81 as procedural and organizational; effective upon filing (Register 81, No. 50).
3. Renumbering and amendment to Section 1265 filed 10–15–82; effective thirtieth day thereafter (Register 82, No. 42).

§ 4–1267. Removal of Red Tags After Sterilization.

NOTE: Authority cited: Section 19034, Business and Professions Code. Reference: Sections 19121, 19202, 19203, and 19204, Business and Professions Code.

HISTORY

1. Renumbering and amendment of former Section 1267 to Section 1266, and new Section 1267 filed 10–15–82; effective thirtieth day thereafter (Register 82, No. 42). For prior history, see Registers 81, No. 50; 68, No. 25; and 66, No. 27.
2. Repealer filed 7–24–96; operative 8–23–96 (Register 96, No. 30).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 4. California Occupational Safety and Health Regulations (CAL/OSHA)

(Title 8)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 4. California Occupational Safety and Health Regulations (CAL/OSHA)

TABLE OF CONTENTS

Page

Division 4. California Occupational Safety and Health Regulations (CAL/OSHA) 9

Division 4. California Occupational Safety and Health Regulations (CAL/OSHA)

(Title 8)

§§ 8–337—8–8568. [Removed]

HISTORY

1. Removal of sections 8–337—8–8568 from title 26 filed 9–24–96 pursuant Cal. Code Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 8 (Register 96, No. 39).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 5. Insurance Commissioner

(Title 10)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 5. Insurance Commissioner

TABLE OF CONTENTS

Page

Division 5. Insurance Commissioner 11
§ 10–2321.

Division 5. Insurance Commissioner

(Title 10)

§ 10–2321.

Marine and/or transportation policies may cover under the following conditions:

(a) Imports

(1) Imports on consignment may be covered wherever the property may be and without restriction as to time, provided the coverage of the issuing companies includes hazards of transportation. A shipment "on consignment" shall mean property consigned and intrusted to a factor or agent to be held in his care, or under his control for sale for account of another or for exhibit or trial or approval or auction, and if not disposed of, to be returned.

(2) Imports not on consignment in such places of storage as are usually employed by importers, provided the coverage of the issuing companies includes hazards of transportation. Such policies may also include the same coverage in respect to property purchased on C.I.F. terms or "spot" purchases for inclusion with or in substitution for bona fide importations. An import, as a proper subject of marine or transportation insurance, shall be deemed to maintain its character as such so long as the property remains segregated in the original form or package in such a way that it can be identified and has not become incorporated and mixed with the general mass of property in the United States, and shall be deemed to have been completed when such property has been:

(A) Sold and delivered by the importer, factor or consignee; or

(B) Removed from place of storage as described in paragraph "2" above and placed on sale as part of importer's stock in trade at a point of sale–distribution; or

(C) Delivered for manufacture, processing or change in form to premises of the importer or of another used for any such purposes.

(b) Exports

(1) Exports may be covered wherever the property may be without restriction as to time, provided the coverage of the issuing companies includes hazards of transportation. An export, as a proper subject of marine or transportation insurance, shall be deemed to acquire its character as such when designated or while being prepared for export and retain that character unless diverted for domestic trade, and when so diverted, the provisions of this article respecting domestic shipments shall apply, provided, however, that this provision shall not apply to long established methods of insuring certain commodities, e.g., cotton.

(c) Domestic Shipments

(1) Domestic shipments on consignment, provided the coverage of the issuing companies includes hazards of transportation.

(A) Property shipped on consignment for sale or distribution, while in transit and not exceeding one hundred and twenty (120) days after arrival at consignee's premises or other place of storage or deposit; and

(B) Property shipped on consignment for exhibit, or trial, or approval, or auction, while in transit, while in the custody of others and while being returned.

(2) Domestic shipments not on consignment, provided the coverage of the issuing companies includes hazards of transportation, beginning and ending within the United States, provided that such shipments shall not be covered at manufacturing premises nor after arrival at premises owned, leased or operated by assured or purchaser, not for more than ninety (90)days at other place of storage or deposit, except in premises of transportation companies or freight forwarders, when such storage is incident to transportation.

(d) Bridges, tunnels and other instrumentalities of transportation and communication (excluding buildings, their furniture and furnishings, fixed contents and supplies held in storage) unless fire, tornado, sprinkler leakage, hail, explosion, earthquake, riot and/or civil commotion are the only hazards to be covered. Piers, wharves, docks and slips, excluding the risks of fire, tornado, sprinkler leakage, hail, explosion, earthquake, riot and/or civil commotion. Other aids to navigation and transportation, including dry docks and marine railways, against all risks. The foregoing includes:

(1) Bridges, tunnels, other similar instrumentalities, unless fire, lightning, windstorm, sprinkler leakage, hail, explosion, earthquake, riot or civil commotion are the only perils to be covered.

(2) Piers, wharves, docks and slips, but excluding the risks of fire, lightning, windstorm, sprinkler leakage, hail, explosion, earthquake, riot or civil commotion.

(3) (A) Pipelines, including on–line propulsion, regulating and other equipment appurtenant to such pipelines, but excluding all property at manufacturing, producing, refining, converting, treating or conditioning plants.

(B) Power transmission and telephone and telegraph lines, excluding all property at generating, converting or transforming stations, substations and exchanges.

(4) Radio and television communication equipment in commercial use as such including towers and antennae with auxiliary equipment, and appurtenant electrical operating and control apparatus but excluding buildings, their improvements and betterments, furniture and furnishings and supplies held in storage therein.

(5) Outdoor cranes, loading bridges and similar equipment used to load, unload and transport.

(e) Personal Property Floater Risks

(1) Covering Individuals.

(A) Tourists Floater, Personal Effects Floater Policies.

(B) The Personal Property Floater.

(C) Government Service Floaters.

(D) Personal Fur Floaters.

(E) Personal Jewelry Floaters.

(F) Wedding Present Floaters for not exceeding ninety (90) days after the date of the wedding.

(G) Silverware Floaters.

(2) Covering Individuals and/or Generally.

(A) Fine Arts Floaters, Stamp and Coin Floaters. To cover objects of art such as pictures, statuary, bronzes and antiques, rare manuscripts and books, articles of virtu, etc.

(B) Musical Instrument Floaters. Radios, televisions, record players and combinations thereof are not deemed musical instruments.

(C) Radium Floaters.

(D) Physicians' and Surgeons' Instrument Floaters. Such policies may include coverage of such furniture, fixtures and tenant assured's interest in such improvements and betterments of buildings as are located in that portion of the premises occupied by the assured in the practice of his profession.

(E) Pattern and Die Floaters, excluding coverage on the owner's premises.

(F) Theatrical Floaters, excluding buildings and their improvements and betterments, and furniture and fixtures that do not travel about with theatrical troupes.

(G) Film Floaters, including builders' risk during the production and coverage on completed negatives and positives and sound records.

(H) Salesmen's Samples Floaters.

(I) Jewelers' Block Policies, including tenant assured's interest in improvements and betterments of buildings, furniture, fixtures, tools, machinery, patterns, molds and dies.

(J) Exhibition Policies on property while on exhibition and in transit to or from such exhibitions.

(K) Live Animal Floaters, covering wherever animals, wagons and mobile equipment may be.

(L) Installation risks, covering machinery and equipment including plumbing, heating, cooling and electrical systems (as distinguished from building materials) while in transit to place of installation and during the period of installation and testing. Coverage must cease:

(1) where such property is insured for the account of the seller or installer,when the interest of such insured ceases: or,

(2) in no case later than when such property has been accepted as satisfactory; whichever first occurs, as to (1) or (2).

Building materials (e.g., structural steel, lumber, bricks and mortar), while in transit to place of installation and after arrival thereat but such coverage must terminate when the materials are installed and have become a physical part of the realty or when the seller's interest ceases, whichever first occurs.

(M) Mobile Articles, Machinery and Equipment Floaters (excluding motor vehicles designed for highway use and auto homes, trailers and semitrailers except when hauled by tractors not designed for highway use and snow plows constructed exclusively for highway use), covering identified property of a mobile or floating nature, not on sale or consignment, or in course of manufacture, which has come into the custody or control of parties who intend to use such property for the purpose for which it was manufactured or created. Such policies shall not cover furniture and fixtures not customarily used away from premises where such property is usually kept.

(N) Property in transit to or from and in the custody of

(1) Bleacheries, throwsters, fumigatories, dyers, cleaners, laundries, and similar bailees;

(2) Needleworkers;

(3) Other bailees (not owned, controlled or operated by the bailor) for the purpose of performing work thereon (as distinguished from the making of a complete article) including the treatment of, or assemblage, of property on the premises of bailees. Such policies shall not cover bailee's property at his premises.

(O) Installment Sales and Leased Property. Policies covering property sold under conditional contract of sale, partial payment contract, installment sales contract, or leased but excluding motor vehicles designed for highway use. Such policies must cover in transit but shall not extend beyond the termination of the seller's or lessor's interest. This section is not intended to include machinery and equipment under certain "lease–back" contracts.

(P) Garment Contractors Floaters.

(Q) Furriers or Fur Storer's Customer's Policies (i.e., policies under which certificates or receipts are issued for furriers or fur storers) covering specified articles the property of customers.

(R) Accounts Receivable Policies, Valuable Papers and Records Policies.

(S) Cold Storage Locker Plant Policies, covering merchandise of customers consisting principally of meats, game, fish, poultry, fruit, vegetables and property of a similar nature.

(T) Floor Plan Policies, covering property for sale while in possession of dealers under a floor plan or any similar plan under which the dealer borrows money from a bank or lending institution with which to pay the manufacturer, provided:

(1) Such merchandise is specifically identifiable as encumbered to the bank or lending institution.

(2) The dealer's right to sell or otherwise dispose of such merchandise is conditioned upon its being released from encumbrance by the bank or lending institution.

(3) That such policies cover in transit and do not extend beyond the termination of the dealer's interest. Provided that such policies shall not cover automobiles or motor vehicles; merchandise for which the dealer's collateral is the stock or inventory as distinguished from merchandise specifically identifiable as encumbered to the lending institution.

(U) Sign and Street Clock Policies, covering neon signs, automatic or mechanical signs, street clocks, while in use as such.

(V) The following policies covering property which, when sold to the ultimate purchaser, may be covered specifically, by the owner, under Inland Marine Policies:

(1) Musical Instrument Dealers Policies, covering property consisting principally of musical instruments and their accessories. Radios, Telephones, recordplayers and combinations thereof are not deemed musical instruments.

(2) Camera Dealers Policies, covering property consisting principally of cameras and their accessories.

(3) Furrier's Dealers Policies, covering property consisting principally of furs and fur garments.

(4) Equipment Dealers Policies, covering mobile equipment consisting of binders, reapers, tractors, harvesters, harrows, tedders and other similar agricultural equipment and accessories therefor; construction equipment consisting of bulldozers, roadscrapers, tractors, compressors, pneumatic tools and similar equipment and accessories thereof; but excluding motor vehicles designed for highway use. All such policies shall exclude coverage of moneys and securities. Such policies may include coverage of tenant assured's interest in improvements and betterments of buildings,furniture, fixtures, tools, machinery, patterns, molds and dies.

(W) Wool Growers Floaters.

(X) Domestic Bulk Liquids Policies, covering domestic bulk liquids stored in tanks provided the risks of fire and inherent explosion, windstorm, sprinkler leakage, earthquake, hail, explosion, riot or civil commotion are excluded therefrom.

(Y) Furniture Shipment Policies, covering furniture, fixtures and equipment in bona fide course of shipment from one location to another location of the owner including in place of deposit incident to such transportation while awaiting determination or availability of final destination, in which event they must cover at time of issuance transportation to or from such place of deposit but may not cover after delivery at destination.

HISTORY

1. Amendment filed 5–31–66; effective thirtieth day thereafter (Register 66, No. 16). For prior history, see Register 61, No. 11.

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 5.1. Department of Motor Vehicles

(Title 13)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 5.1. Department of Motor Vehicles

TABLE OF CONTENTS

Page

Division 5.1. Department of Motor Vehicles 13

§ 13-100.02. Requirements for Out-of-State Drivers.
§ 13-100.03. Renewal of Certificate.
§ 13-100.04. Exceptions to the Certificate Program.
§ 13-100.05. Refusal, Revocation, and Hearing.
§ 13-100.06. Employer Certification of Training for Hazardous Waste, Hazardous Materials, or Bulk Liquid Loads.
§ 13-100.07. Training Requirements.
§ 13-100.08. Certificate of Driving Experience.
§ 13-100.09. Employers Qualifying for Certification for Class 1 and/or Class 2 Operation and Special Certificate Approval.
§ 13-100.10. Additional Employer Requirements.
§ 13-100.11. Implementation.

Division 5.1. Department of Motor Vehicles

(Title 13)

§ 13–100.02. Requirements for Out–of–State Drivers.

A driver from another state, territory, or a country is authorized to drive in California without the drivers' certificate required by Vehicle Code Section 12804.1 or 12804.3 providing the driver meets all of the following requirements:

(a) Has a valid driver's license of the class appropriate for the operation of the vehicle, issued by the state, territory or country in which the driver resides.

(b) Has met the physical qualification standards required of motor vehicle drivers by the Federal Highway Administration of the United States Department of Transportation as set forth in the Title 49, Code of Federal Regulations, Section 391.41, and has in his or her possession a medical certificate approved by the Federal Highway Administration and issued within the last two years.

(c) Has met the training requirements set forth in Section 100.07 of these regulations applicable to the type of load being transported (hazardous materials, hazardous waste) and/or type of vehicle being operated.

(d) Is not disqualified for such a certificate on the basis of his or her driving record or medical condition under the Vehicle Code Sections referenced below.

(e) Has in his or her possession one of the following:

(1) A valid Non–Resident Special Driver Certificate issued by this department to a non–California licensed driver that authorizes the driver to transport the type of load being transported (hazardous materials, hazardous waste) and/or to operate that particular type of vehicle or

(2) Notice from his or her employing motor carrier on a form approved by the department indicating that the driver has met the training requirements specified in (c) above. Such notice must be signed by the driver and the employer under penalty of perjury. The notice will be valid for 30 days from the date it is signed by the employer.

(A) When such notice is issued by an employer, the employer must at the same time send written notice of the issuance to this department. No driver shall be permitted to operate in California a vehicle subject to this Article beyond the 30–day validity period of the notice, unless he/she has obtained from this department the Non–Resident Special Driver Certificate specified in 1 above.

(B) The department, upon receipt of notice specified in Subsection A, above, shall update its records and issue Non–Resident Special Driver Certificates to qualified drivers. Such certificates shall be mailed to the drivers.

NOTE: Authority cited: Section 3100, Vehicle Code. Reference: Sections 3100, 12500, 12502, 12804.1, 12804.3, 12805, 12809, 12810, 12810.5, 13205, 13352, 13352.5, 13353, 13355, 13357, 13359, 13361, 13363, 13365, 13552, 13553, 13954, 14252, 15020, 15023, 15024, 23157, 23160, 23161 and 23166, Vehicle Code; and Title 49, Code of Federal Regulations, Section 391.41.

HISTORY

1. New section filed 9–15–87; operative 10–15–87 (Register 87, No. 38).

§ 13–100.03. Renewal of Certificate.

(a) The Non–Resident Special Driver Certificate issued to a non–California licensed driver shall expire 4 years from the date of issuance. Requirements to renew the certificate shall be the same as those to obtain an original certificate.

(b) The certificates issued to California–licensed drivers shall expire with the California license. Except for changes in training requirements noted in Section 100.07, requirements to renew the certificate shall be the same as for an original certificate.

NOTE: Authority cited: Section 3100, Vehicle Code. Reference: Sections 12804.1 and 12804.3, Vehicle Code.

HISTORY

1. New section filed 9–15–87; operative 10–15–87 (Register 87, No. 38).

§ 13–100.04. Exceptions to the Certificate Program.

All drivers of vehicles specified in California Vehicle Code Sections 12804.1 or 12804.3 shall obtain special driver certificates, except those persons exempted pursuant to Section 25163 of the Health and Safety Code, persons operating a vehicle in an emergency situation at the direction of a peace officer pursuant to Vehicle Code Section 2800 and persons meeting the requirements for out–of–state drivers set forth in Section 100.02 of this Article.

NOTE: Authority cited: Section 3100, Vehicle Code. Reference: Sections 12804.1 and 12804.3, Vehicle Code; and Section 25163, Health and Safety Code.

HISTORY

1. New section filed 9–15–87; operative 10–15–87 (Register 87, No. 38).

§ 13–100.05. Refusal, Revocation, and Hearing.

(a) The department may refuse to issue a certificate to any applicant under this article when the department is satisfied that any of the following exist:

(1) The applicant does not satisfy the requirements of Section 100.02, or California Vehicle Code Sections 12804.1 or 12804.3.

(2) As a result of the applicant's driving record, the applicant would be deemed to be a "Negligent Operator" under the provisions of Vehicle Code Section 12810.5(a).

(3) The applicant previously held a certificate issued under this article which has been revoked or suspended for cause and the cause for such suspension or revocation still exists.

(4) The applicant's driving record would be cause for suspension or revocation of the certificate and/or driving privilege under the provisions of the California Vehicle Code.

(5) The department has grounds for refusing to issue any license to the applicant under California Vehicle Code Sections 12805, 12807, or 12809, or would have cause for such refusal if the driver were otherwise required to be licensed under the provisions of the California Vehicle Code.

(6) The applicant would not currently qualify for a medical certificate approved by the Federal Highway Administration.

(b) The department may suspend or revoke a certificate issued under this article when the operator poses a risk to public health or safety or for any other cause which exists under these regulations, or the laws of California, regardless of when such cause arises which would either permit or require the department to refuse to issue such a certificate.

(c) The department may suspend or revoke the driving privilege of a non–California driver subject to the provisions of California Vehicle Code Section 3100 and these regulations, when the driver does not or no longer meets the requirements set forth in Section 100.02.

(d) The following provisions apply to a driver's right to a hearing:

(1) Whenever the department determines upon investigation or reexamination that the driver does not meet the qualifications for a certificate under this article and proposes to suspend or revoke the certificate privilege, notice and an opportunity to be heard shall be provided to the driver before such action is taken. Notice shall be given in accordance with procedures set forth in Vehicle Code Sections 13950, 13951, and 13952.

(2) The department may suspend or revoke the certificate privilege in accordance with the procedure set forth in Vehicle Code Section 13953 when such action is required for the safety of the driver or other persons upon the highway.

(e) Procedures pertaining to hearing requests and the conduct of hearings shall be governed by the provisions of Division 6, Chapter 3, of the California Vehicle Code.

NOTE: Authority cited: Section 3100, Vehicle Code. Reference: 3100, 12804.1, 12804.3, 12805, 12807, 12809, 12810.5 and 13950 through 14112, Vehicle Code.

HISTORY

1. New section filed 9–15–87; operative 10–15–87 (Register 87, No. 38). For prior history, see Register 87, No. 2.

§ 13–100.06. Employer Certification of Training for Hazardous Waste, Hazardous Materials, or Bulk Liquid Loads.

(a) Certificate Of Driver Training. The department may waive the written test for an applicant for a hazardous waste, hazardous material,

or bulk liquid load in combination certificate when the applicant presents a valid certificate of driver training issued by the employer of the applicant, if the employer has been authorized by the department to issue such certificates. Such certificates of driver training shall be signed by the employer or designated representative under penalty of perjury. One or more designated representative(s) may be identified by the employer in the application for employer number, which contains the designated representative(s) name(s), business address(es), and the signature(s) of the designated representative(s).

(b) Qualifications For Employer Number. The department shall issue an employer number to an employer, authorizing the employer to issue training certificates pursuant to this Article when the department is satisfied that the employer has met the qualifications set forth in this Article. The employer number shall remain valid for one year from date of issuance, unless earlier cancelled, suspended, or revoked by the department. The employer number is subject to annual renewal. The department shall require compliance with this section to renew the employer number. In order to qualify for an employer number, the employer must meet all of the following requirements:

(1) Provide for and require that its drivers participate in a driver testing and training program, to include an actual road test for each new driver employed. The road test must include the following: pre–trip safety inspection, placing in operation the vehicles or combination of the class for which the driver is issued the certificate, use of the vehicles' controls and emergency equipment, operating the vehicle or combination in traffic (on public roads and while passing other vehicles), turning the vehicle or combination, braking, slowing the vehicle or combination by means other than braking, and backing (if applicable) and parking the vehicle or combination.

(2) Provide documentation (such as a training schedule or contract with an entity which provides training) with the application for the employer number to show that the employer will provide the driver testing and training required above and in Section 100.07.

(3) Provide a current lesson plan for DMV monitoring purposes with each original application. Renewal applications must include any changes to the lesson plan.

(4) File an application, signed by the employer under penalty or perjury, with the department on forms furnished by the department.

(5) Require drivers, on an on–going basis, to operate vehicles subject to the certificate requirements of 12804.1 and/or 12804.3 applicable to the type of training certificate the employer wishes to issue. In addition, employers who qualify drivers for the bulk liquid load in combination certificate must ensure that the required on–the–road training and testing described above and in Section 100.07 are conducted in a Class 1 combination of tank vehicles used to transport bulk liquid loads.

NOTE: Authority cited: Section 3100, Vehicle Code. Reference: 12804, 12804.1 and 12804.3, Vehicle Code.

HISTORY

1. New section filed 9–15–87; operative 10–15–87 (Register 87, No. 38). For prior history, see Register 87, No. 2.

§ 13–100.07. Training Requirements.

(a) Hazardous Waste. Employers who have been authorized by the department to issue certificates of training for drivers hauling hazardous wastes must provide training that meets or exceeds the following minimum requirements before issuing the certificate of training to any driver applying for an original certificate.

(1) Course Content:

(A) Products handled (including proper description(s) and characteristics)

(B) Documentation Requirements

1. Proper national uniform hazardous waste manifest form used.
2. Required entries and signatures.
3. Location during transportation and commerce.

(C) Packaging and Container Requirements

1. Marking
2. Labeling
3. Placarding

(D) Loading/Handling (characteristics and compatibility)

(E) Incident reporting and Emergency procedures

(F) State and Federal regulations applicable to hazardous waste vehicle/container operation

(G) Characteristics and safe operating requirements of hazardous waste vehicles/containers (including routing, driving and parking)

(H) Pre–operation inspection of vehicle/container (and written report when required)

(2) For drivers renewing a hazardous waste certificate, the training required above may be met by on–the–job instruction. However, the employer must keep records of such instruction as outlined in 100.10(a).

(b) Hazardous Materials. Employers who have been authorized by the department to issue certificates of training for drivers transporting hazardous materials must provide training that meets or exceeds the following minimum requirements before issuing the certificate of training to any driver applying for an original certificate.

(1) Course Content

(A) State and Federal regulations governing hazardous materials vehicle/container operation

(B) Pre–trip inspection of vehicle and load

(C) Shipping paper requirements:

1. proper basic description sequence and format
   a. proper shipping name
   b. hazard class
   c. identification number
2. required description and entries
3. location during transportation and commerce

(D) Packaging and container requirements:

1. general packaging condition
2. proper marking and labeling

(E) Loading and unloading:

1. proper handling methods for different containers
2. mixed load compatibility
3. load securement
4. load accessibility

(F) Placarding requirements:

1. proper placards used
2. placards displayed correctly

(G) Driving and parking rules applicable to hazardous material transportation

(H) Incident reporting and emergency procedures

(2) For drivers renewing a hazardous materials certificate, the above required training may be met by on–the–job instruction. However, the employer must keep records of such instruction as outlined in 100.10(a).

(c) When training a driver to meet the requirements for both a hazardous waste and a hazardous materials certificate, training requirements which are identical for the two certificates need not be repeated. The training time required for the second certificate can be shortened as long as the driver receives the required training in the subject outline at least once.

(d) Bulk Liquid Loads in Combination. Employers who have been authorized by the department to issue certificates of training to drivers for the operation of combinations of vehicles with any tank configuration, which are required to be operated by Class 1 drivers and which are transporting bulk liquid loads, must provide training that meets or exceeds the following minimum requirements before issuing the certificate of training to any driver.

(1) Course Content

(A) Pre–trip inspection of vehicle and load

(B) Loading and unloading (operation of associated equipment)

(C) Special vehicle handling characteristics, to include:

1. Vehicle instability
2. High center of gravity
3. Fluid load subject to surge
4. Effect of curves on stability

5. Effect of braking on stability

6. Effect of speed on vehicle control

7. Dangers associated with evasive or sudden maneuvers

8. Danger commonly associated with maneuvering through curves, especially on and off ramps

9. Characteristic stability differences between clean bore, baffled, or multi–compartmented tanks

10. Effects of partial loads on basic vehicle stability

(2) In addition to completing the above training, the driver must demonstrate proficiency in operating the vehicle as required by Section 1229, of Title 13, California Administrative Code.

(3) For drivers renewing a certificate to transport bulk liquid loads in combination, the training requirements above may be met by on–the–job instruction. However, the employer must keep records of such instruction as outlined in 100.10(a).

NOTE: Authority cited: Section 3100, Vehicle Code. Reference: Sections 12804, 12804.1 and 12804.3, Vehicle Code; and Title 49 Code of Federal Regulations, Sections 172.200–172.204, 173.24, 177.800(a), 177.823, 177.855–177.861, 397.1–397.3, 397.7(b), 397.9(a) and 397.11–397.19.

HISTORY

1. New section filed 9–15–87; operative 10–15–87 (Register 87, No. 38). For prior history, see Register 87, No. 2.

§ 13–100.08. Certificate of Driving Experience.

NOTE: Authority cited: Section 3100, Vehicle Code. Reference: Section 12804, Vehicle Code.

HISTORY

1. New section filed 9–15–87; operative 10–15–87 (Register 87, No. 38). For prior history, see Register 87, No. 2.
2. Change without regulatory effect renumbering former section 100.08 to section 25.08 filed 7–19–93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 30).

§ 13–100.09. Employers Qualifying for Certification for Class 1 and/or Class 2 Operation and Special Certificate Approval.

Employers who meet all of the qualifications contained in Sections 100.06, 100.07 and 100.08 may file a single application for authorization to certify to the training and testing required for Class 1 and/or 2 driving and the training required for the transport of hazardous waste, hazardous materials, and/or transport of bulk liquid loads in combination. There shall be a single fee for such multiple applications.

NOTE: Authority cited: Section 3100, Vehicle Code. Reference: Sections 12804, 12804.1 and 12804.3, Vehicle Code.

HISTORY

1. New section filed 9–15–87; operative 10–15–87 (Register 87, No. 38).

§ 13–100.10. Additional Employer Requirements.

NOTE: Authority cited: Section 3100, Vehicle Code. Reference: Sections 12804, 12804.1, 12804.3 and 13950–14112, Vehicle Code.

HISTORY

1. Change without regulatory effect renumbering former section 100.10 to section 100.18 (Register 87, No. 38). For prior history, see Register 82, No. 33.
2. New section 100.10 filed 9–15–87; operative 10–15–87 (Register 87, No. 38).
3. Change without regulatory effect renumbering former section 100.10 to section 25.10 filed 7–19–93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 30).
4. Editorial correction of NOTE (Register 97, No. 30).

§ 13–100.11. Implementation.

NOTE: Authority cited: Section 1651, Vehicle Code. Reference: Section 12804, Vehicle Code.

HISTORY

1. Change without regulatory effect renumbering former section 100.11 to section 100.19 (Register 87, No. 38). For prior history, see Register 82, No. 33.
2. New section 100.11 filed 9–15–87; operative 10–15–87 (Register 87, No. 38).
3. Change without regulatory effect amending subsection (b) filed 6–5–91 pursuant to section 100, title 1, California Code of Regulations (Register 91, No. 38).
4. Change without regulatory effect renumbering former section 100.11 to section 25.11 filed 7–19–93 pursuant to title 1, section 100, California Code of Regulations (Register 93, No. 30).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 6. California Highway Patrol

(Title 13)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 6. California Highway Patrol

TABLE OF CONTENTS

Page

Division 6. California Highway Patrol 17

§ 13-1150. Applicability.
§ 13-1150.1. Designation of Routes and Stopping Places.
§ 13-1150.2. Routes Traveled and Stopping.
§ 13-1150.3. En Route Inspections.
§ 13-1150.4. Detours.
§ 13-1150.5. Services and Products.
§ 13-1151. Map Index.
§ 13-1151.1. Routes and Stops—Map 1.
§ 13-1151.2. Routes and Stops—Map 2.
§ 13-1151.3. Routes and Stops—Map 3.
§ 13-1151.4. Routes and Stops—Map 4.
§ 13-1151.5. Routes and Stops—Map 5.
§ 13-1151.5.1. Routes and Stops—Map 5A.
§ 13-1151.6. Routes and Stops—Map 6.
§ 13-1151.7. Routes and Stops—Map 7.
§ 13-1151.7.1. [Reserved].
§ 13-1151.8. Routes and Stops—Map 8.
§ 13-1151.8.1. Routes and Stops—Map 8A.
§ 13-1151.8.2. Routes and Stops—Map 8B.
§ 13-1151.8.3. Routes and Stops—Map 8C.
§ 13-1151.8.4. Routes and Stops—Map 8D.
§ 13-1151.9. Routes and Stops—Map 9.
§ 13-1151.9.1. Routes and Stops—Map 9A.
§ 13-1151.10. Routes and Stops—Map10.
§ 13-1151.10.1. Routes and Stops—Map10A.
§ 13-1151.11. [Reserved].
§ 13-1151.12. [Reserved].
§ 13-1151.13. [Reserved].
§ 13-1151.14. [Reserved].
§ 13-1152. [Reserved].
§ 13-1152.1. Routes and Stops—Map 11.
§ 13-1152.2. Routes and Stops—Map 12.
§ 13-1152.2.1. Routes and Stops—Map 12A.
§ 13-1152.3. Routes and Stops—Map 13.
§ 13-1152.3.1. Routes and Stops—Map 13A.
§ 13-1152.4. Routes and Stops—Map 14.
§ 13-1152.4.1. Routes and Stops—Map 14A.
§ 13-1152.4.2. Routes and Stops—Map 14B.
§ 13-1152.5. Routes and Stops—Map 15.
§ 13-1152.6. Routes and Stops—Map 16.
§ 13-1152.6.1. Routes and Stops—Map 16A.
§ 13-1152.7. Routes and Stops—Map 17.
§ 13-1152.7.1. Routes and Stops—Map 17A.
§ 13-1152.8. Safe Parking Places.
§ 13-1152.9. [Reserved].
§ 13-1152.10. [Reserved].
§ 13-1152.11. [Reserved].
§ 13-1152.12. [Reserved].
§ 13-1152.13. [Reserved].
§ 13-1153. [Reserved].
§ 13-1153.1. [Reserved].
§ 13-1153.2. [Reserved].
§ 13-1153.3. [Reserved].
§ 13-1153.4. [Reserved].
§ 13-1153.5. [Reserved].
§ 13-1153.6. [Reserved].
§ 13-1153.7. [Reserved].
§ 13-1153.8. [Reserved].
§ 13-1153.9. [Reserved].
§ 13-1153.10. [Reserved].
§ 13-1153.11. [Reserved].
§ 13-1153.12. [Reserved].
§ 13-1154. [Reserved].
§ 13-1155. Application of Article.
§ 13-1155.1. Definitions.
§ 13-1155.3. Escort Vehicle Equipment.
§ 13-1155.4. Co-driver and Drivers Hours.
§ 13-1155.6. Inhalation Hazard Transport Vehicle Equipment.
§ 13-1155.8. Escort Procedures.
§ 13-1160. Application.
§ 13-1160.1. Exceptions and Special Applications.
§ 13-1160.2. U.S. Department of Transportation Regulations.
§ 13-1160.3. Definitions.
§ 13-1160.4. General Provisions.
§ 13-1160.5. Hazard Classification and Shipping Names.
§ 13-1161. Shipping Papers.
§ 13-1161.1. Shipping Certification.
§ 13-1161.2. Hazard Labels.
§ 13-1161.3. Marking.
§ 13-1161.6. Emergency Response Information.
§ 13-1161.7. Hazardous Materials Training.
§ 13-1162. Placards.
§ 13-1162.1. Vehicle Safety Equipment.
§ 13-1163. Shipment Preparation.
§ 13-1163.1. Prohibited Transportation.
§ 13-1164. Vehicle Loading.
§ 13-1165. [Reserved].
§ 13-1166. Reporting of Incidents Involving Hazardous Materials or Hazardous Wastes.
§ 13-1167. Delivery of Shipments; Action in Event of Accidents.
§ 13-1168. [Reserved].
§ 13-1170. Scope.
§ 13-1171. Definitions.
§ 13-1172. Fees.
§ 13-1173. Reinspections.
§ 13-1176. Hazardous Waste Training.
§ 13-1178. Hazardous Materials Training.
§ 13-1190. [Reserved].
§ 13-1190.1. [Reserved].
§ 13-1191. [Reserved].
§ 13-1192. [Reserved].
§ 13-1193. [Reserved].
§ 13-1194. [Reserved].
§ 13-1195. [Reserved].
§ 13-1196. [Reserved].
§ 13-1197. [Reserved].
§ 13-1200. Scope.
§ 13-1202.1. Applicability of Federal Regulations.
§ 13-1216. Transportation of Property.

Division 6. California Highway Patrol

(Title 13)

§ 13–1150. Applicability.

This article shall apply to the transportation of explosives subject to Division 14 (commencing with Section 31600) of the Vehicle Code.

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 84, No. 16.
2. Amendment of NOTE filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).

§ 13–1150.1. Designation of Routes and Stopping Places.

(a) The highways, safe stopping places, and inspection stops to be used for transportation of commodities listed in Section 1150 are set forth in Sections 1151.1 through 1153.12 (Maps 1 through 17A). Safe parking places are listed in Section 1154.

(b) Definitions.

(1) Safe Stopping Place. "Safe stopping place" means any place where a driver may stop for food, fuel, or other reason, provided the vehicle is attended at all times.

(2) Attended Vehicle. A vehicle is "attended" when the driver or person in charge of it is awake and occupies any part of it except the sleeper berth; or is within 100 ft. of the vehicle and has an unobstructed view of it.

(3) Safe Parking Place. "Safe parking place" means any off–highway location or terminal where the driver may park and leave a vehicle unattended.

(4) Inspection Stop. "Inspection stop" means any location specially designated as such in this article or any safe parking place or safe stopping place where vehicle inspections required by Section 31607 of the Vehicle Code may be performed.

(5) Required Inspection Stop. "Required inspection stop" means any place designated as such or any other place where vehicle inspection is mandatory.

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31602, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 88, No. 26.
2. Amendment of NOTE filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).

§ 13–1150.2. Routes Traveled and Stopping.

(a) Routes. No person shall drive or permit the driving of any vehicle transporting commodities listed in Section 1150 upon any highway not designated by this article. For pickup and delivery not over designated routes, the route selected must be the shortest–distance route from the pickup location to the nearest designated route entry location, and the shortest–distance route to the delivery location from the nearest designated route exit location.

(b) Access to Inspection Stops and Safe Stopping Places. If highway access is not provided, a highway other than one designated herein may be used to permit a vehicle or vehicle combination to proceed to and from an inspection stop or safe stopping place, provided the most direct route is used avoiding, to the extent practicable, places where crowds are assembled, streetcar tracks, tunnels, viaducts, and dangerous crossings.

(c) Stopping. No person shall stop a vehicle or vehicle combination transporting commodities listed in Section 1150 at any place not designated as a safe stopping place, safe parking place, improved public rest area as described in (d) of this section or inspection stop, except to comply with orders of a peace officer or an official traffic control device or unless the vehicle or vehicle combination is disabled.

(d) Public Rest Areas. An improved public rest area contiguous to a highway is deemed part of the highway for the purpose of this article.

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31602, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 84, No. 16.
2. Amendment of subsections (c) and (d) and NOTE filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Amendment of subsection (a) filed 12–10–96; operative 12–10–96 pursuant to Vehicle Code section 31616 (Register 96, No. 50).

§ 13–1150.3. En Route Inspections.

Inspection of tires and brakes required by Section 31607(c) of the Vehicle Code shall be performed at the following locations:

(a) En Route Inspection Stops. Inspection shall be performed at an inspection stop at least every four hours or 150 miles traveled, whichever occurs first, or as close thereto as is practicable, depending upon the proximity of such inspection stops.

(b) Top–of–Grade Inspection Stops. Regardless of elapsed time or miles traveled, vehicles shall be inspected at the top of and prior to descending any grade upon which the Department of Transportation has declared a speed limit for trucks of less than 55 miles per hour as provided by Section 22407 of the Vehicle Code. Such inspection shall be made off the roadway.

(c) Required Inspection Stops. Regardless of elapsed time or miles traveled, vehicles shall be inspected at any location designated herein as a required inspection stop.

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31602, 31607, 31608, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 74, No. 14.
2. Amendment of NOTE filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).

§ 13–1150.4. Detours.

Detours established on highways designated in this article may be used for transportation of commodities listed in Section 1150 pending subsequent revision of this article or designation of emergency routes as provided by Section 31617 of the Vehicle Code.

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31602 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 84, No. 16.
2. Amendment of NOTE filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).

§ 13–1150.5. Services and Products.

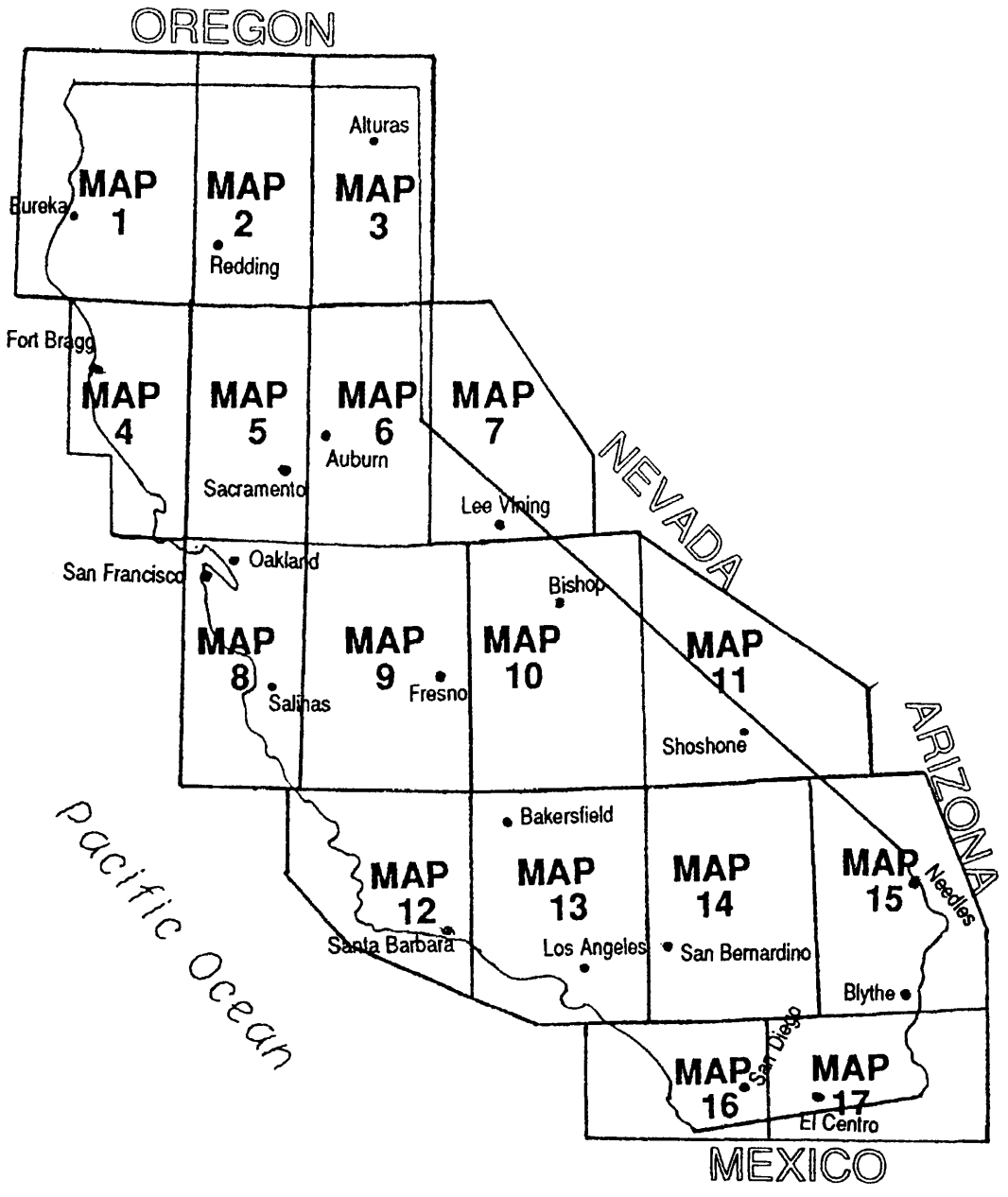
Services available at safe stopping places are indicated for purposes of convenience, but no recommendation of any product, service, or location is intended or should be inferred.

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31602 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).
2. Amendment of NOTE filed 10–17–94; operative 11–16–94 (Register 94, No. 42).

§ 13–1151. Map Index.



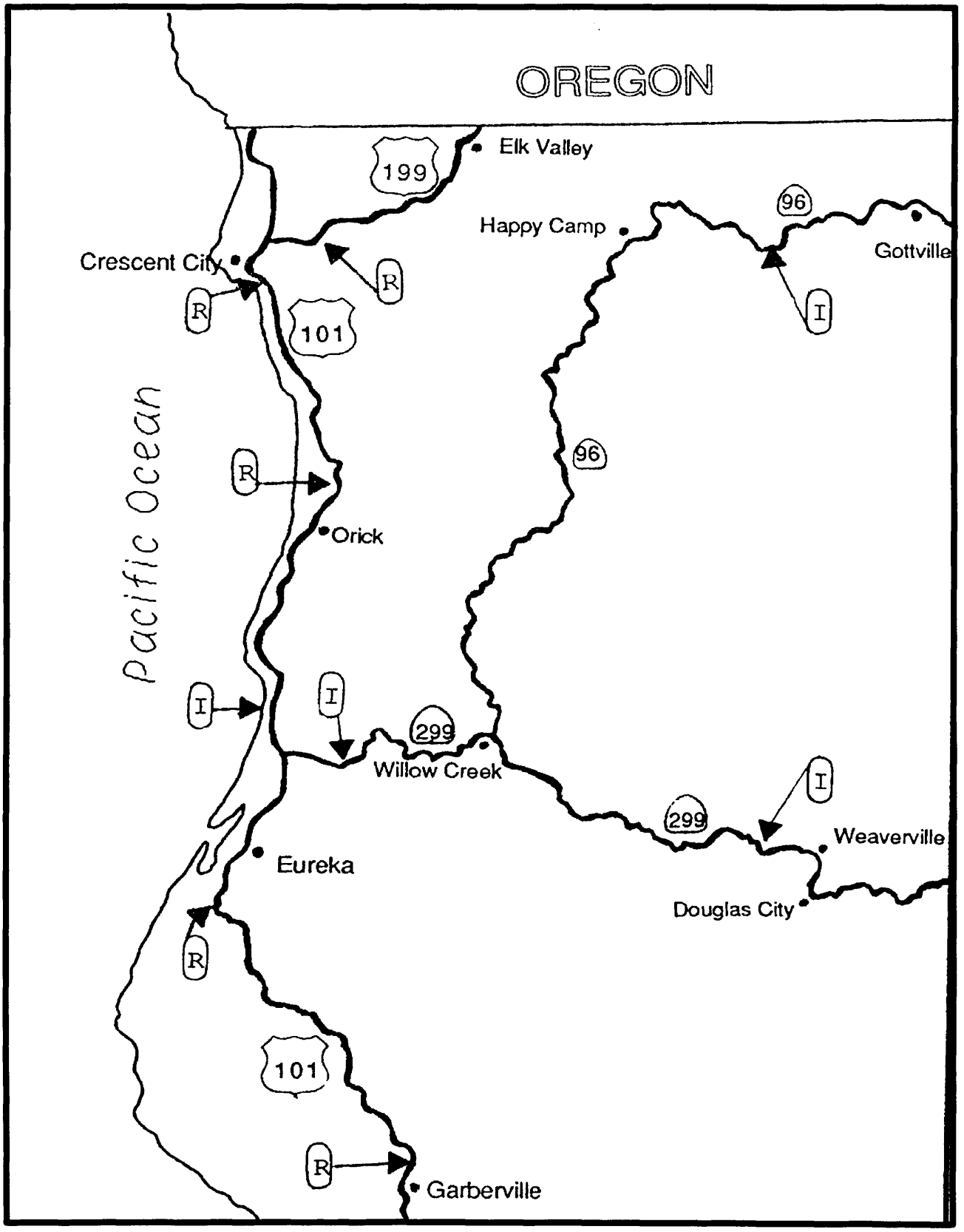
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 88, No. 26.
2. Amendment of NOTE filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).

§ 13–1151.1. Routes and Stops—Map 1.

(a) Map 1.



R = REQUIRED INSPECTION STOP

I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 1.

(1) U.S. HIGHWAY 101.

(A) REQUIRED INSPECTION STOP (southbound vehicles): 9.7 miles south of Crescent City. West shoulder, immediately to the north of

the following signs: "Down Grade – Trucks Use Low Gears" and "Trucks 30 MPH."

(B) REQUIRED INSPECTION STOP (northbound vehicles): 20.5 miles north of Humboldt County line at marker DN–101–20.62. East shoulder. Marked by flashing lights and sign: "Brake Check Area."

(C) REQUIRED INSPECTION STOP (southbound vehicles): 52.2 miles south of Eureka at marker HUM–101–23.1, State of California scale pit.

(D) REQUIRED INSPECTION STOP (northbound vehicles): 8.3 miles north of Garberville at marker HUM–101–19.4, State of California scale pit.

(E) * INSPECTION STOP (southbound vehicles): State of California platform scales. (Little River) at Marker 101–HUM–120.8.

(F) Orick: A&P Truck Service, 120635 Highway 101, at Marker 101–HUM–120.8. 24 hour towing service, call (707) 488–6885.

(2) U.S. HIGHWAY 199.

(A) REQUIRED INSPECTION STOP (westbound vehicles): At west end of Collier Tunnel. Park on wide shoulder, west of rest area turnoff.

(3) STATE HIGHWAY 96.

(A) INSPECTION STOP: Milepost 71.31 at convergence of highway and Scott River. Known locally as "Steelhead," but not sign posted as such. No services.

(4) STATE HIGHWAY 299.

(A) * INSPECTION STOP (westbound vehicles): State of California platform scales, 31.5 miles west of Willow Creek.

(B) INSPECTION STOP: Oregon Mountain Summit, west of Weaverville at Milepost TRI–299–48.47.

---

* May be used as a "Safe Parking Place" when driver is given specific instructions by a member of the California Highway Patrol.

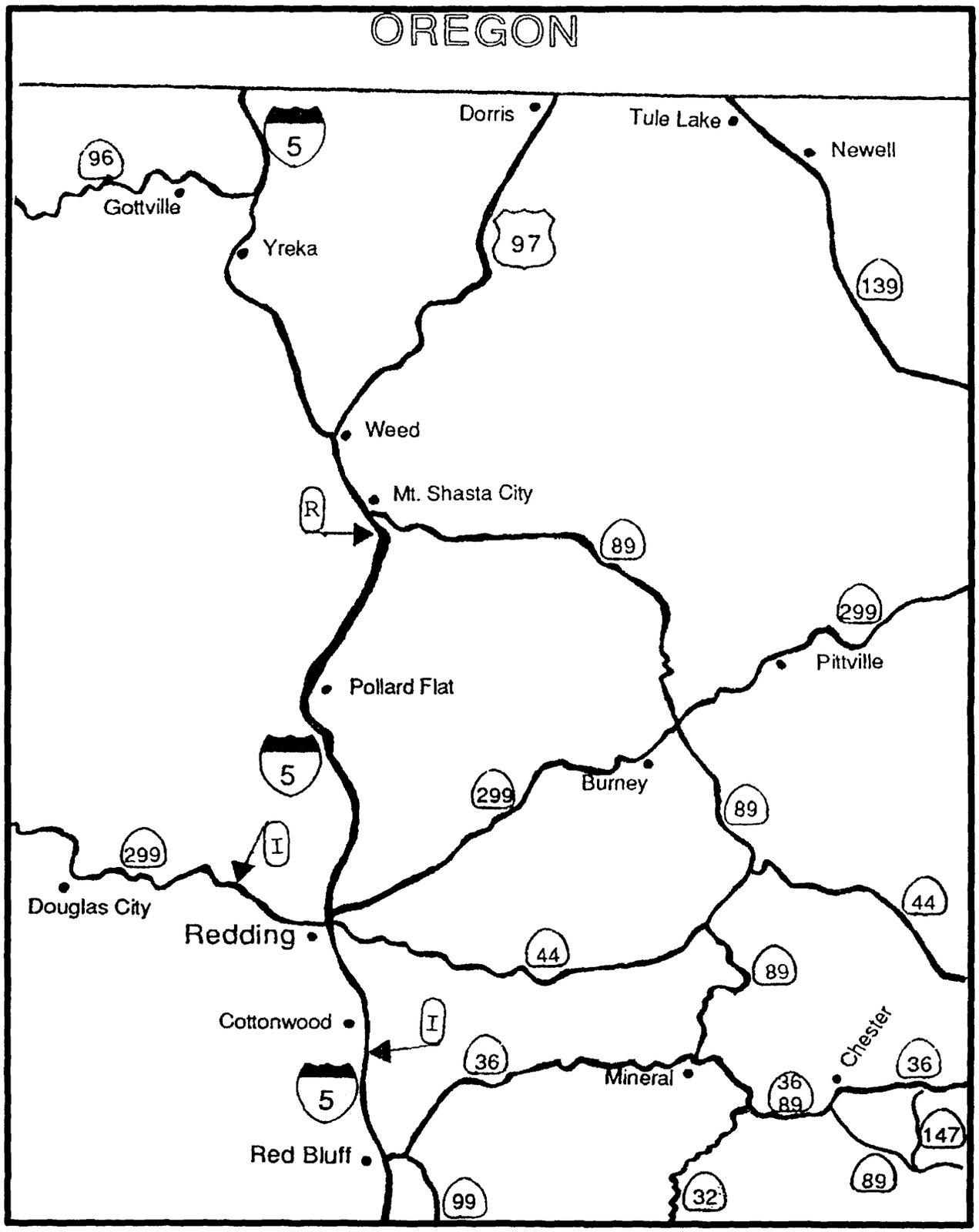
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 90, No. 7.
2. Amendment of subsections (b)(1)(B), (E), (F) and (G) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Amendment of subsections (b)(1)(E)–(F) and repealer of subsection (b)(1)(G) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1151.2. Routes and Stops—Map 2.

(a) Map 2.



SEE MAP 1

SEE MAP 3

SEE MAP 5

R = REQUIRED INSPECTION STOP

I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 2.

(1) INTERSTATE HIGHWAY 5.

(A) *REQUIRED INSPECTION STOP (southbound vehicles): Mt. Shasta Vehicle Inspection Facility.

(B) *REQUIRED INSPECTION STOP (northbound vehicles): Cottonwood Inspection Facility, 2.5 miles south of Cottonwood. No Services. Scales closed when signs display "Scales Closed. Do Not Enter."

(C) *REQUIRED INSPECTION STOP (southbound vehicles): Cottonwood Platform Scales, 2 miles south of Cottonwood. No Services.

(D) Redding: Redding Truck Stop, 2731 South Market Street. Food, gasoline, diesel, propane, CFN Cardlock: 0700–2100 (Monday–Friday), 0700–1700 (Saturday), Closed Sunday.

(E) Pollard Flat: Pollard Flat USA, 24235 Eagles Roost Road, 33 miles north of Redding. Food, gasoline, diesel: 24 hours.

(2) STATE HIGHWAY 299.

(A) *INSPECTION STOP (eastbound vehicles): State of California platform scales, 6 miles west of Shasta. No services.

(c) Restrictions—Redding. Travel into or through Redding, except through traffic on I–5, shall be in accordance with the following:

(1) North and southbound traffic going west on SR–299 exit at the Central Redding–Eureka (SR–299) exit, proceed west on SR–299 to Pine Street, then north on Pine Street to Eureka Way, then west on Eureka Way (SR–299).

(2) North and southbound traffic going east on SR–299 shall exit I–5 at the Burney–Alturas (SR–299) exit, then proceed east.

(3) North and southbound traffic going east on SR–44 shall exit I–5 at Lassen Park (SR–44) exit, and proceed east.

---

*May be used as a "Safe Parking Place" when driver is given specific instructions by a member of the California Highway Patrol.

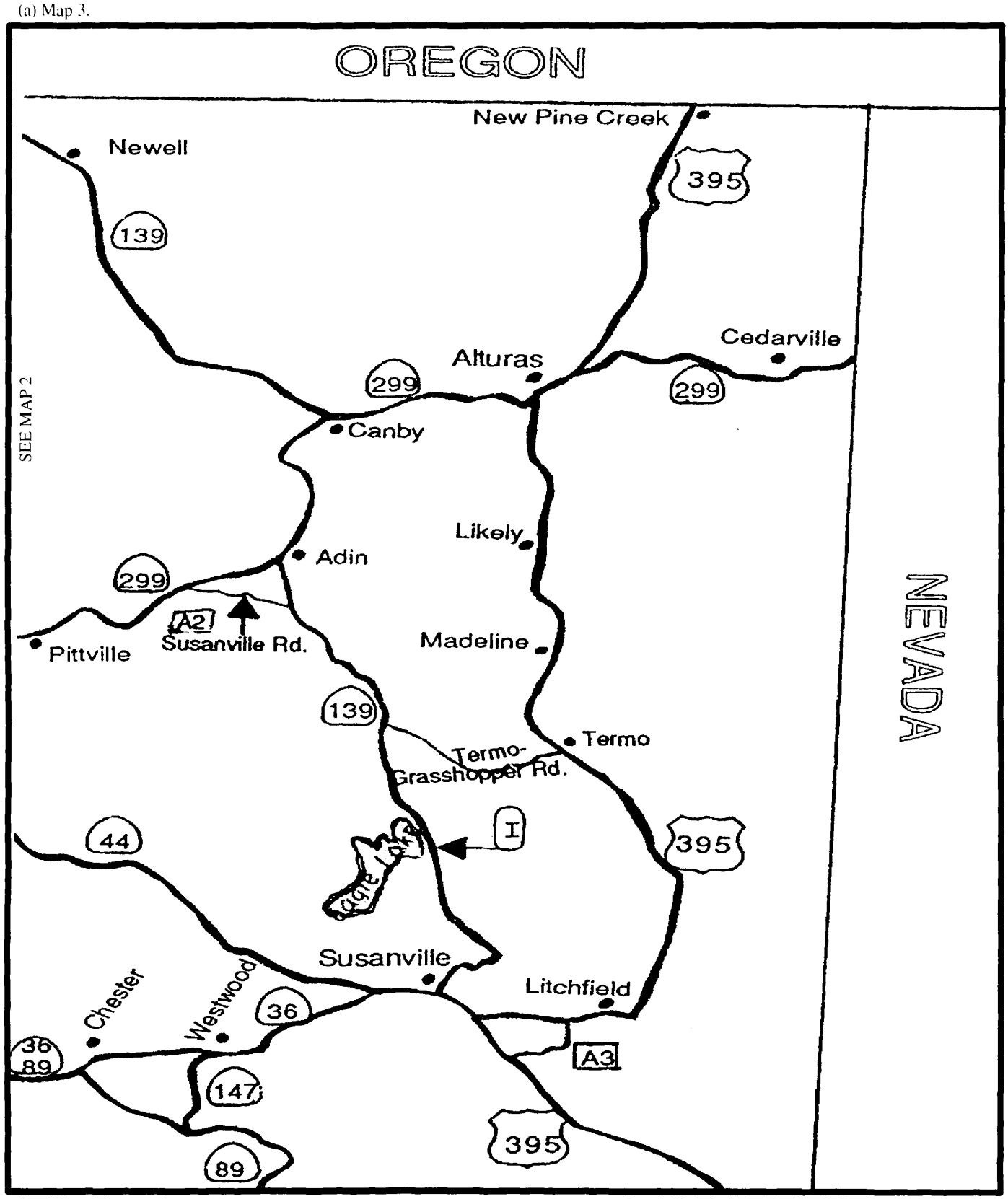
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 92, No. 12.
2. Repealer of subsection (b)(1)(D), redesignation and amendment of former subsection (b)(1)(E) to (b)(1)(D), new subsection (b)(1)(E) and amendment of subsection (b)(1)(F) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Amendment of subsections (b)(1)(B)–(C), repealer of subsections (b)(1)(E) and (c)(1) and subsection renumbering filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1151.3. Routes and Stops—Map 3.

(a) Map 3.



SEE MAP 6

I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 3.

(1) U.S. HIGHWAY 395.

(A) INSPECTION STOP: State of California scale pit, 4 miles south of Janesville at post mile 50.

(B) Likely: Likely Cafe. Food: 0700–2000 (Monday–Saturday), 0800–1400 (Sunday).

(C) Likely: Likely Store. Gasoline, diesel, propane, grocery: daylight hours. Park on west side of highway.

(D) Madeline: Old Madeline Store (Closed) public phone. Park on west side of highway.

(E) Litchfield: Seven Acres Cafe. Food: 0600–2100. Park on east side of highway.

(2) STATE HIGHWAY 36.

(A) INSPECTION STOP (eastbound vehicles): State of California scale pit, 1.8 miles west of Susanville at post mile 22.

(3) STATE HIGHWAY 139.

(A) INSPECTION STOP: 25 miles north of Susanville at park area east of Eagle Lake.

(B) Tule Lake: Stronghold Cafe, Captain Jack Stronghold. Food: 0600–1900 (Tuesday–Sunday), 0600–1500 (Monday).

(4) STATE HIGHWAY 299.

(A) Canby: Sherer's Chevron Service Station. Gasoline, diesel, mini–mart, minor repairs: Mon–Sat 0700–2100, Sun 0700–1800.

(B) Canby: Sherer's Union Service Station. Gasoline, mini–mart, minor repairs: 0700–2100.

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

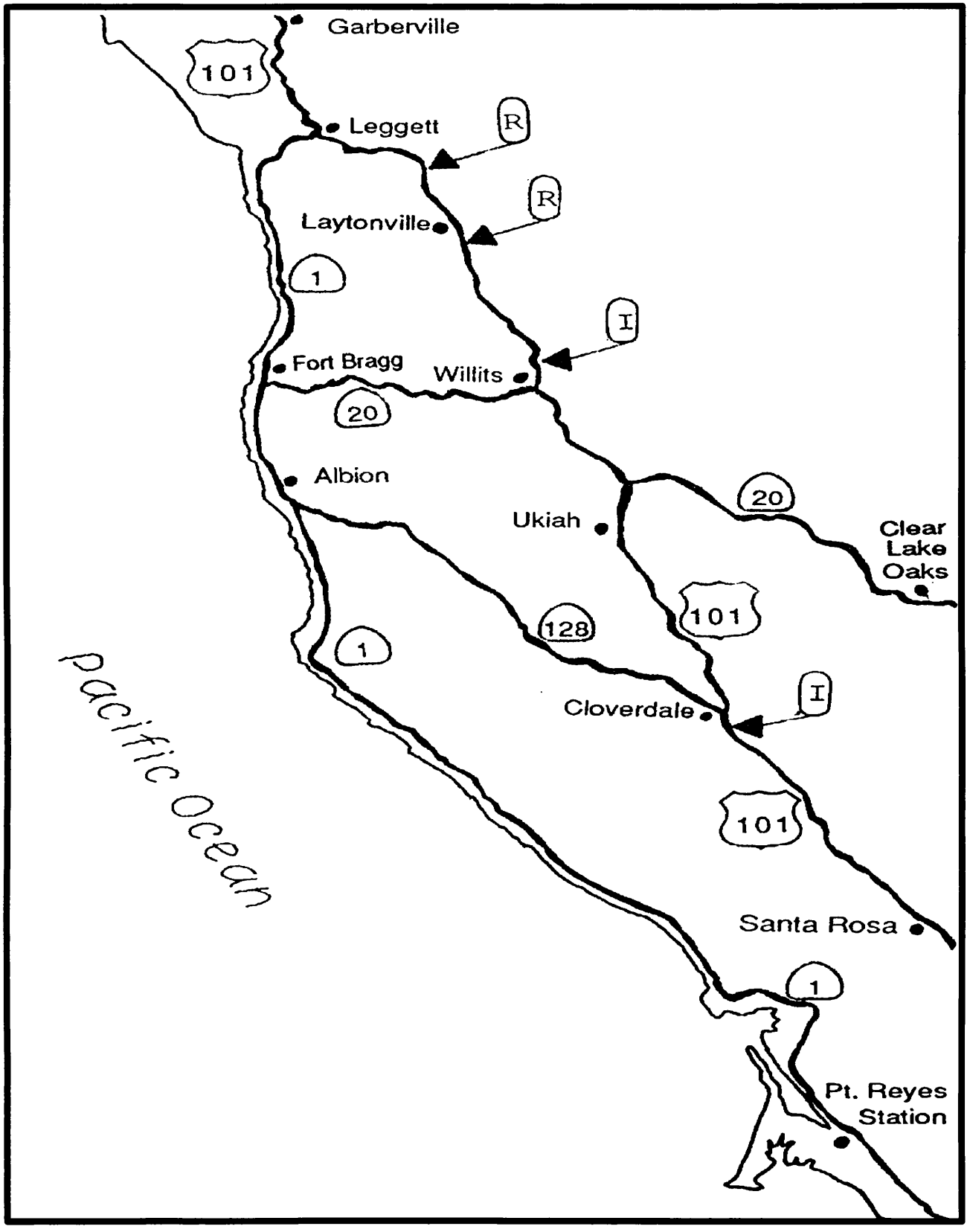
HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 91, No. 44.
2. Amendment of subsections (b)(1)(B)–(E), (b)(3)(B) and (b)(4)(B) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Amendment of subsections (b)(1)(D) and (b)(4)(A) and repealer of subsection (b)(4)(C) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1151.4. Routes and Stops—Map 4.

(a) Map 4.

SEE MAP 1



SEE MAP 5

R = REQUIRED INSPECTION STOP I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 4. (1) U.S. HIGHWAY 101.

(A) REQUIRED INSPECTION STOP (southbound vehicles): 6.5 miles south of Cummings at Marker MEN–101–77.7; 0.8 mile south of Spy Rock County Road. Stop either side of summit.

(B) REQUIRED INSPECTION STOP (northbound vehicles): 4.2 miles south of Laytonville at Marker MEN–101–64.8, top of grade at north end of four lane roadway. Stop on wide dirt and gravel shoulder. No facilities.

(C) * INSPECTION STOP (southbound vehicles): State of California platform scales, 1.3 miles north of Willits.

(D) Laytonville: Gravier's Chevron Service. Gasoline, diesel, propane, tire repairs, and scales: Open 24 hours. Park on east side of highway.

(E) Ukiah: Jensen's Truck Stop, 1460 Lovers Lane. Gasoline, propane, diesel, major repairs: 24 hours. Located at junction of US–101 and North State Street.

(F) Ukiah: Jensen's Restaurant, 1550 Lovers Lane. Food: 24 hours. Take North State Street (Old US–101) exit, near junction of US–101. Park in rear parking area of Jensen's Truck Stop.

---

*May be used as a "Safe Parking Place" when driver is given specific instructions by a member of the California Highway Patrol.

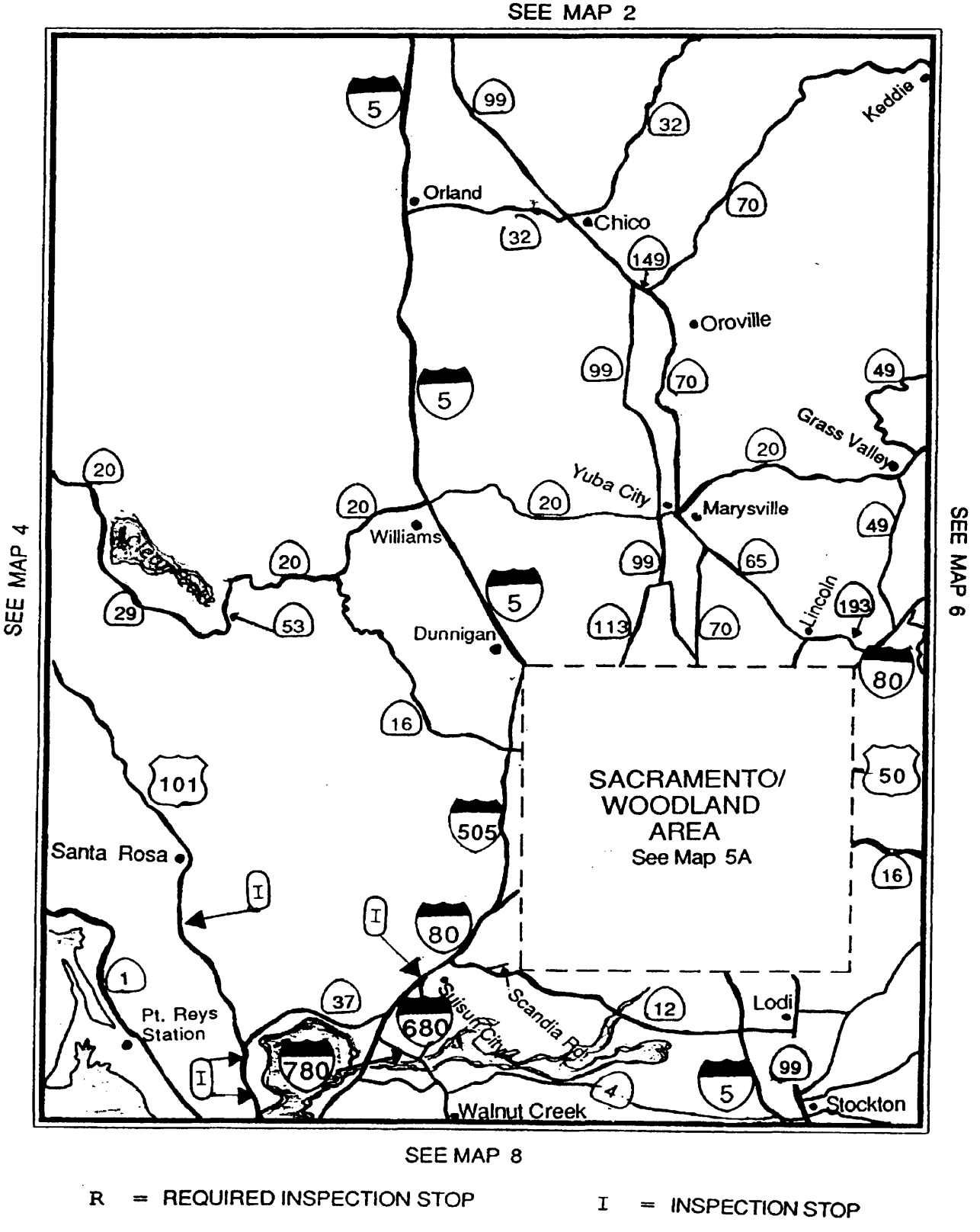
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 92, No. 12.
2. Amendment of subsection (b)(1)(A), repealer of subsection (b)(1)(D) and subsection redesignation, and amendment of subsections (b)(1)(D)–(F) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Amendment of subsection (b)(1)(F) filed 12–10–96; operative 12–10–96 pursuant to Vehicle Code section 31616 (Register 96, No. 50).
5. Amendment of subsections (b)(1)(D) and (b)(1)(F) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1151.5. Routes and Stops—Map 5.

(a) Map 5.



(b) Safe Stopping Places and Inspection Stops—Map 5.

(1) INTERSTATE HIGHWAY 5

(A) Dunnigan: Dunnigan Truck Service. Food, gasoline, diesel, minor repairs: 24 hours. I–5 and County Road 8. Marked parking place for trucks transporting explosives.

(B) Lodi: Flying J, 15100 Thornton Road, gasoline, diesel: 24 hours. (209) 339–4066.

(2) INTERSTATE HIGHWAY 80.

(A) INSPECTION STOP: Cordelia Inspection Facility, 3 miles west of the city of Fairfield. No services. Scales closed when signs display: "Scales Closed, Do Not Enter."

(B) Suisun: Terminal Stations, Inc., 100 Suisun Valley Road. Food, gasoline, diesel, repairs, tire service: 24 hours. Four miles west of the city of Fairfield at Suisun Valley Road overcrossing.

(3) U.S. HIGHWAY 101.

(A) INSPECTION STOP (southbound vehicles): Truck parking area, 1.5 miles south of Cotati.

(B) *INSPECTION STOP (southbound vehicles): State of California platform scales, 3.9 miles south of SR–37.

(C) *INSPECTION STOP (northbound vehicles): State of California platform scales, 2 miles north of San Rafael.

(4) STATE HIGHWAY 70.

(c) Restrictions.

(1) Use of Tennessee Street in Vallejo is prohibited.

(2) Mare Island Annex of the Concord Navel Weapons Station is located at the south end of Mare Island off SR–37.

(3) Golden Gate Bridge. Northbound vehicles shall stop for inspection and bridge escort at the Toll Plaza. Southbound vehicles shall stop for inspection and bridge escort at the north abutment of the bridge. No explosive laden trucks are permitted on the bridge between the hours of 0630 and 0930 and between 1600 and 1900 on weekdays.

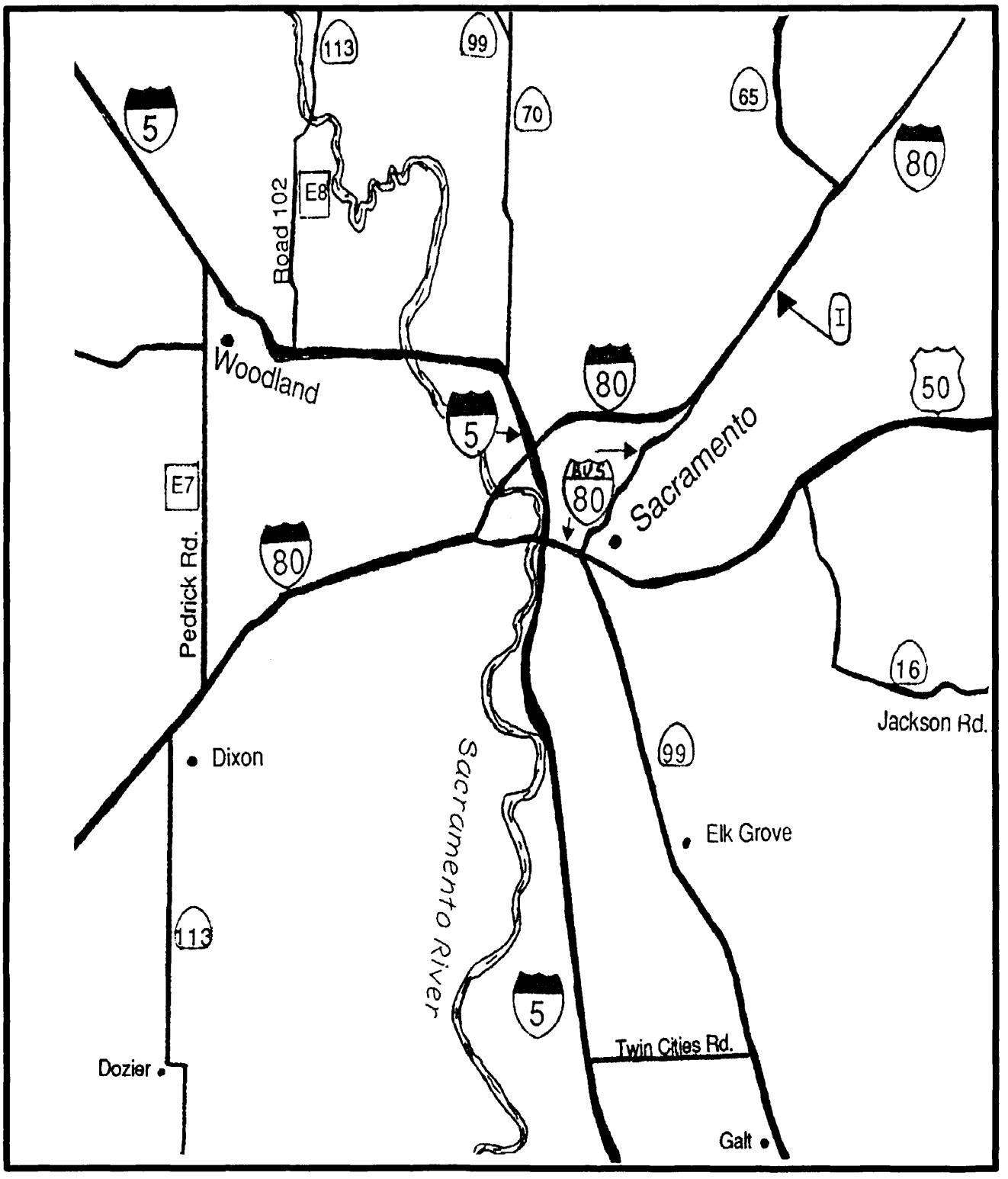
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 92, No. 12.
2. Repealer and new subsection (a), amendment of subsections (b)(1)(A), (b)(2)(B), (b)(4)(A), designation of subsection (c)(1), new subsections (c)(2)–(3) and repealer of first NOTE filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Repealer of subsection (b)(4)(A) filed 12–10–96; operative 12–10–96 pursuant to Vehicle Code section 31616 (Register 96, No. 50).
5. New subsection (b)(1)(B) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1151.5.1. Routes and Stops—Map 5A.

(a) Map 5A.



I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 5A.

(1) INTERSTATE HIGHWAY 80.

(A) *INSPECTION STOP (both directions) State of California platform scales, 0.8 mile west of Antelope Rd.

(B) Sacramento: Sacramento 76 Auto/Truck Plaza, 2828 El Centro Rd. Food, gasoline, diesel, repairs: 24 hours. Approximately 1 mile west of I-5/I-80 junction. Exit at West El Camino Avenue to El Centro Road.

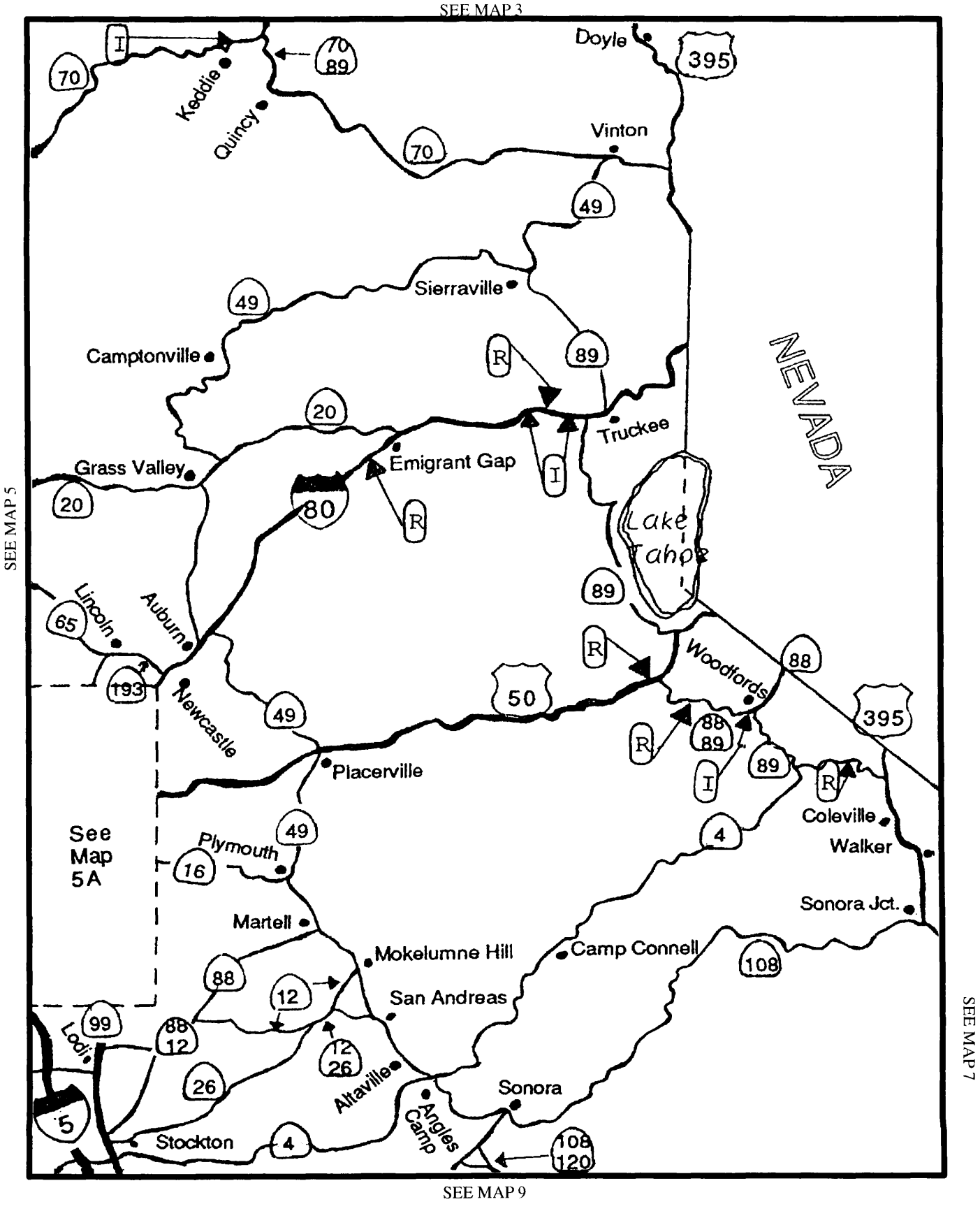
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).
2. Amendment of subsection (b)(1)(B) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).

§ 13–1151.6. Routes and Stops—Map 6.

(a) Map 6.



R = REQUIRED INSPECTION STOP I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 6.

(1) INTERSTATE HIGHWAY 80.

(A) REQUIRED INSPECTION STOP: Donner Summit. Public rest areas.

(B) REQUIRED INSPECTION STOP (westbound vehicles only): Blue Canyon brake check area, 0.5 mile west of Nyack.

(C) INSPECTION STOP: State of California Inspection Facility, Truckee, I–80 at Prosser Road. No services available.

(D) Nyack: Nyack Garage, 1 Nyack Road. Gasoline, diesel, towing, parts store: 24 hours. 24 hour road service call (800) 235–3611. Take Nyack Road exit from I–80.

(E) Nyack: Burger King 41800 Nyack Road. Food: 24 hours. Take Nyack Road exit from I–80.

(2) U.S. HIGHWAY 50.

(A) REQUIRED INSPECTION STOP: Echo Summit. Posted brake check area.

(3) U.S. HIGHWAY 395.

(A) Doyle: Midway Cafe, Doyle Drive. Food: 0700–2000 (summer), 0700–1900 (winter). Closed Mondays. Located North end of Doyle Loop.

(B) Walker: Mike's Auto & Truck Service. Gasoline, LPG, tire repair, heavy duty tow, minor repairs: 0800–1700 (Monday–Saturday). 24 hour road service call (530) 495–2345.

(C) Walker: The Mountain View Barbeque. Food: 1200–2000 (Wednesday – Saturday), 1200–1900 (Sunday). Winter hours 1600–2000 (Thursday – Sunday).

(4) STATE HIGHWAY 4.

(A) Camp Connell: Camp Connell Store. Food, gasoline: 0800–2000 (Monday–Thursday), 0800–2400 (Friday and Saturday). Located 3.2 miles east of entrance to Calaveras Big Trees State Park.

(5) STATE HIGHWAY 12.

(A) Burson: El Papagallo Cafe. Food: 1100–1400 and 1600–2200 (Tuesday–Thursday), 1100–2200 (Friday–Sunday). Located on Highway 12, three miles west of Valley Springs.

(6) STATE HIGHWAY 20.

(A) Nevada City: Five Mile House, 18851 State Highway 20. Food: 0700–2200 (Closed Tuesday and Wednesday). Five miles east of Nevada City.

(7) STATE HIGHWAY 49.

(A) Plymouth: Gold Country Cafe, 17830 Highway 49. Food: 0700–1900. Located 0.4 mile south of Plymouth.

(B) Camptonville: Indian Valley Outpost. Food, LPG: 0800–2200 (summer), 0900–1800 (Winter, Wednesday through Sunday only). Ten miles west of Downieville, on SR–49.

(C) Altaville: Gino's Shell Station, 429 South Main Street. Gasoline, diesel: 0800–1800.

(D) San Andreas: Hawkins Sierra Company (Exxon), 746 Poole Station Road. Gasoline, diesel, tire sales and repairs: 0800–1700 (Monday–Friday), 0800–1300 (Saturday). Located 0.2 mile south of SR–49 on Poole Station Road.

(8) STATE HIGHWAY 70.

(A) *INSPECTION STOP: State of California platform scales, 4 miles west of Keddie at junction of SR–70 and SR–89. No services available.

(B) East Quincy; Huffman Tire and Brake, 2205 East Main. Tire and brake repairs: 0800–1800 (Monday–Friday), 0900–1200 (Saturday).

(C) Quincy: BP Service Station (Tom's Sierra Company, Inc.), 2221 East Main. Gasoline, diesel: 0600–2100.

(9) STATE HIGHWAY 89.

(A) REQUIRED INSPECTION STOP: Luther Pass. Chain control area.

(B) REQUIRED INSPECTION STOP: Summit of Monitor Pass.

(C) INSPECTION STOP: Hope Valley, at junction of SR–88 and SR–89.

(D) Sierraville: Randolph Sales & Service (Chevron). Gasoline, diesel: 0900–1800 (summer), 0900–1730 (winter). East side of SR–89, 1 mile south of SR–49 and SR–89 junction.

(10) STATE HIGHWAY 99.

(A) Stockton: Cherokee Truckstop, 3535 East Cherokee Lane. Gasoline, diesel, propane, grocery: 24 hours.

(c) Winter Restrictions. I–80 between the Nevada state line and Applegate, US–50 over Echo Summit and SR–89 over Luther Pass are restricted to vehicles carrying a full complement of tire chains, adequate for installation as may be required on the vehicle or combination during periods of snowfall, from October through April.

---

*May be used as a "Safe Parking Place" when driver is given specific instructions by a member of the California Highway Patrol.

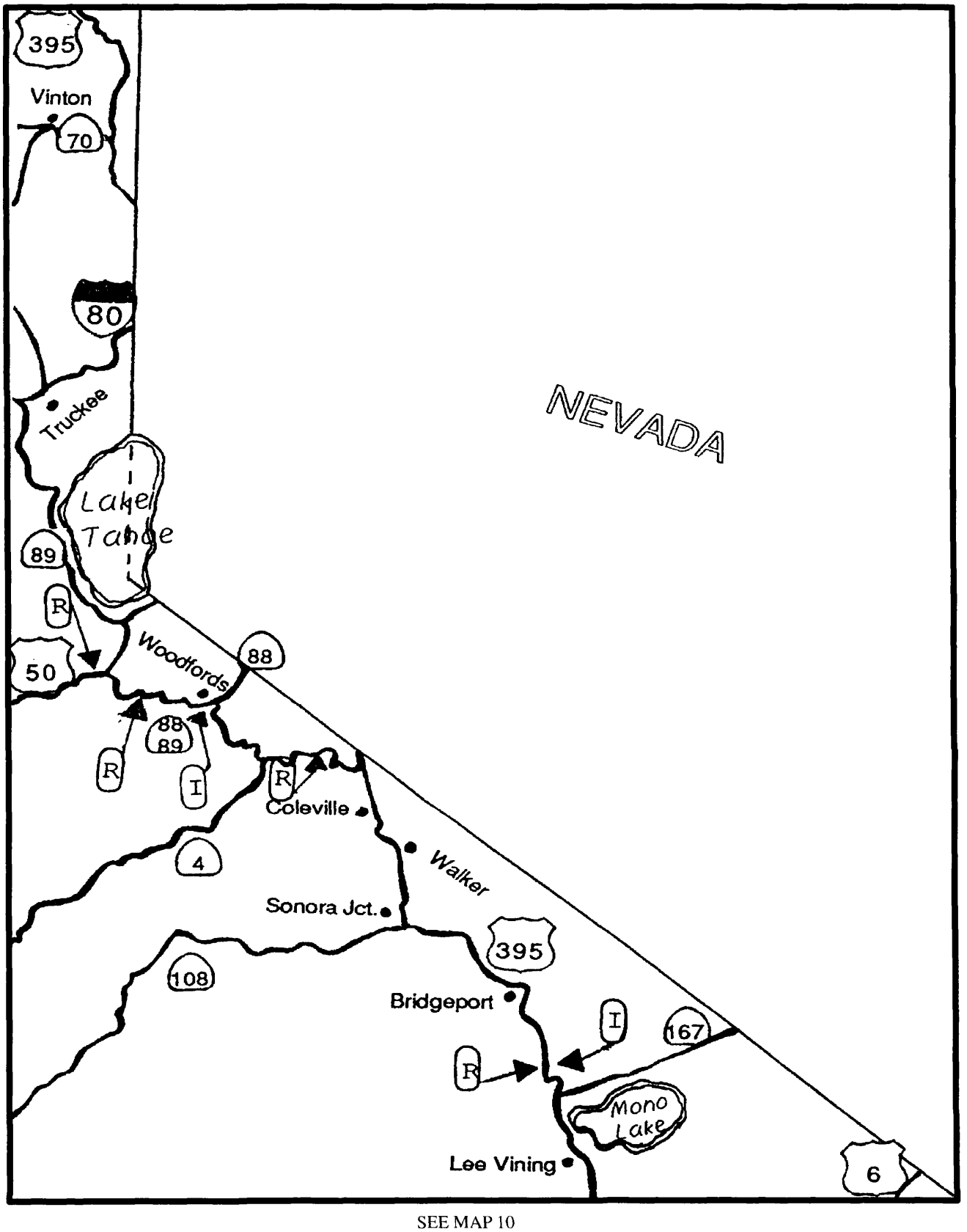
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 91, No. 15.
2. Amendment filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Amendment of subsection (b)(7)(B) filed 12–10–96; operative 12–10–96 pursuant to Vehicle Code section 31616 (Register 96, No. 50).
5. Repealer of subsection (b)(1)(D), subsection relettering, amendment of newly designated subsection (b)(1)(E) and subsection (b)(3)(B), and repealer and new subsection (b)(3)(C) and filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1151.7. Routes and Stops—Map 7.

(a) Map 7.



R = REQUIRED INSPECTION STOP I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 7.

(1) U.S. HIGHWAY 50.

(A) REQUIRED INSPECTION STOP: Echo Summit. Posted brake check area.

(2) U.S. HIGHWAY 395.

(A) REQUIRED INSPECTION STOP (southbound vehicles): Conway Summit, 13 miles south of Bridgeport.

(B) INSPECTION STOP (northbound vehicles): Conway Summit, 12 miles north of Lee Vining.

(C) Walker: Mike's Auto & Truck Service. Gasoline, LPG, tire repair, heavy duty tow, minor repairs: 0800–1700 (Monday–Saturday). 24 hour road service call (530) 495–2345.

(D) Walker: The Mountain View Barbeque. Food: 1200–2000 (Wednesday – Saturday), 1200–1900 (Sunday). Winter hours 1600–2000 (Thursday – Sunday).

(3) STATE HIGHWAY 89.

(A) REQUIRED INSPECTION STOP: Summit of Monitor Pass.

(B) INSPECTION STOP: Hope Valley, at junction of SR–88 and SR–89.

(C) Sierraville: Randoph Sales & Service (Chevron) Gasoline, diesel: 0900–1800 (summer), 0900–1730 (winter). East side of SR–89, 1 mile south of SR–49 and SR–89 junction.

(c) Winter Restrictions—Monitor Pass. Restricted to vehicles carrying a full complement of tire chains adequate for installation as may be required on the vehicle or combination during periods of snowfall, from October 1 through April.

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 90, No. 30.
2. Repealer of subsection (b)(1)(B), amendment of subsection (b)(2)(C) and new subsection (b)(3)(C) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Amendment of subsections (b)(2)(A) and (b)(2)(C) and repealer and new subsection (b)(2)(D) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1151.7.1. [Reserved].

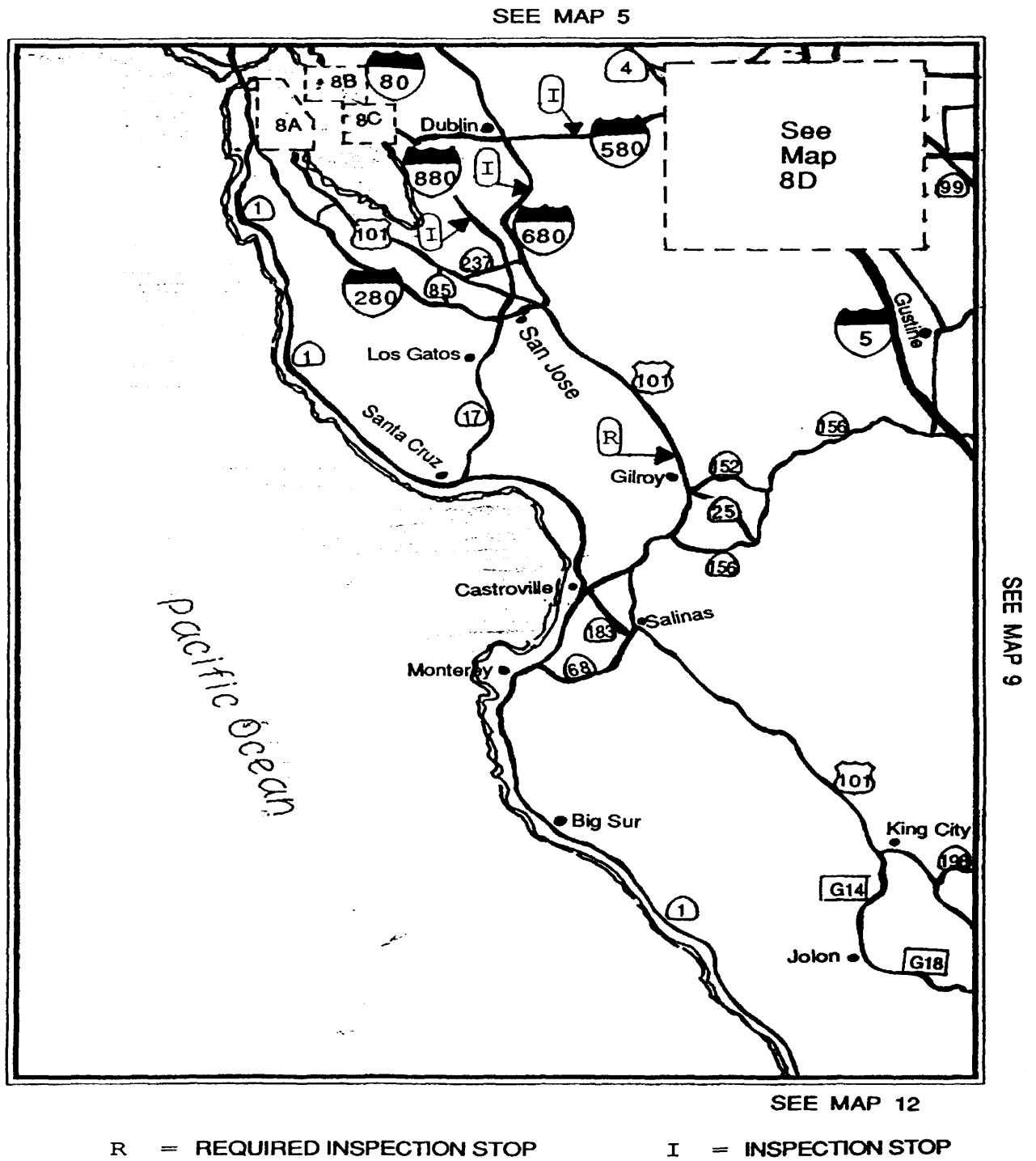
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1151.8. Routes and Stops—Map 8.

(a) Map 8.



(b) Safe Stopping Places and Inspection Stops—Map 8.

(1) INTERSTATE HIGHWAY 580.

(A) INSPECTION STOP (east and westbound vehicles): State of California platform scales, Livermore. No services available.

(2) INTERSTATE HIGHWAY 680.

(A) INSPECTION STOP (northbound vehicles): State of California Inspection Facility on Mission Grade, south of Sunol.

(B) Indicated "Safe Parking Place" on west shoulder is improved parking area north of toll plaza may be used only upon direction and specific approval by bridge personnel or a member of the California Highway Patrol.

(3) INTERSTATE HIGHWAY 880.

(A) *INSPECTION STOP (northbound vehicles): State of California inspection facility, 0.5 mile south of Auto Mall Parkway.

(B) *INSPECTION STOP (southbound vehicles): State of California platform scale, 0.5 mile south of Auto Mall Parkway.

(4) U.S. HIGHWAY 101.

(A) REQUIRED INSPECTION STOP (southbound vehicles): State of California Inspection Facility, north edge of city of Gilroy.

(B) REQUIRED INSPECTION STOP (northbound vehicles): State of California Inspection Facility, 0.5 mile south of San Martin Ave.

(5) STATE HIGHWAY 17.

(A) Los Gatos: Nonnos Summit Café (southbound vehicles only), 23123 Santa Cruz Highway. Food: 1000–1600 (Sunday – Friday) 1000–0000 (Saturday). Located one mile south of Santa Clara–Santa Cruz county lines.

---

* May be used as a "Safe Parking Place" when driver is given specific instructions by a member of the California Highway Patrol.

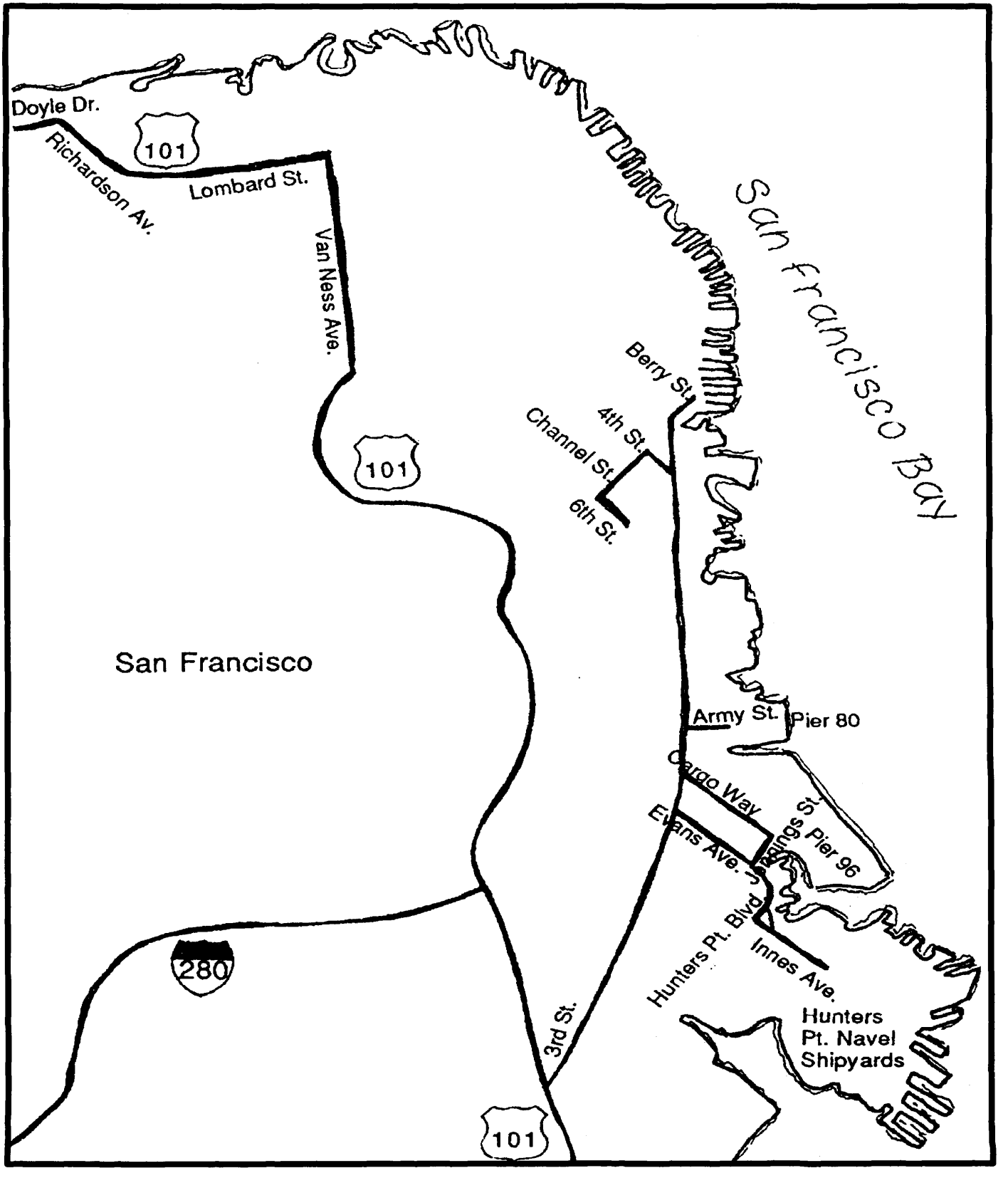
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 91, No. 15.
2. Repealer and new subsection (a), repealer of subsections (b)(5)–(b)(5)(A) and amendment and redesignation of former subsections (b)(6)–(b)(6)(A) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Amendment of subsections (b)(3)(A)–(B), new subsection (b)(4)(B) and amendment of subsection (b)(5)(A) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1151.8.1. Routes and Stops—Map 8A.

(a) Map 8A.



(b) Safe Stopping Places and Inspection Stops—Map 8A. There are no designated stopping places or inspection stops in the area encompassed by Map 8A.

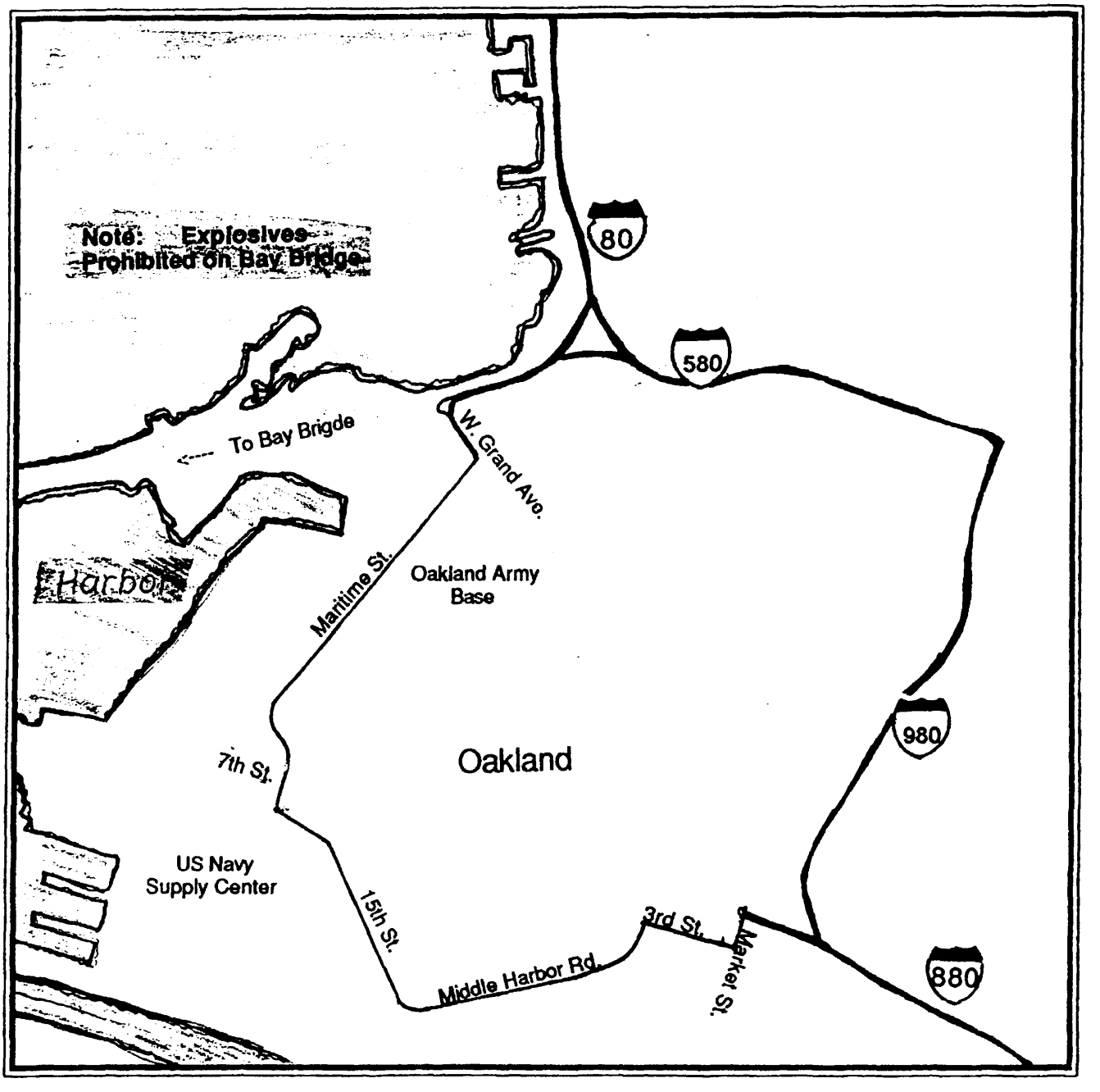
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).

§ 13–1151.8.2. Routes and Stops—Map 8B.

(a) Map 8B.



(b) Safe Stopping Places and Inspection Stops—Map 8B. There are no designated stopping places or inspection stops in the area encompassed by Map 8B.

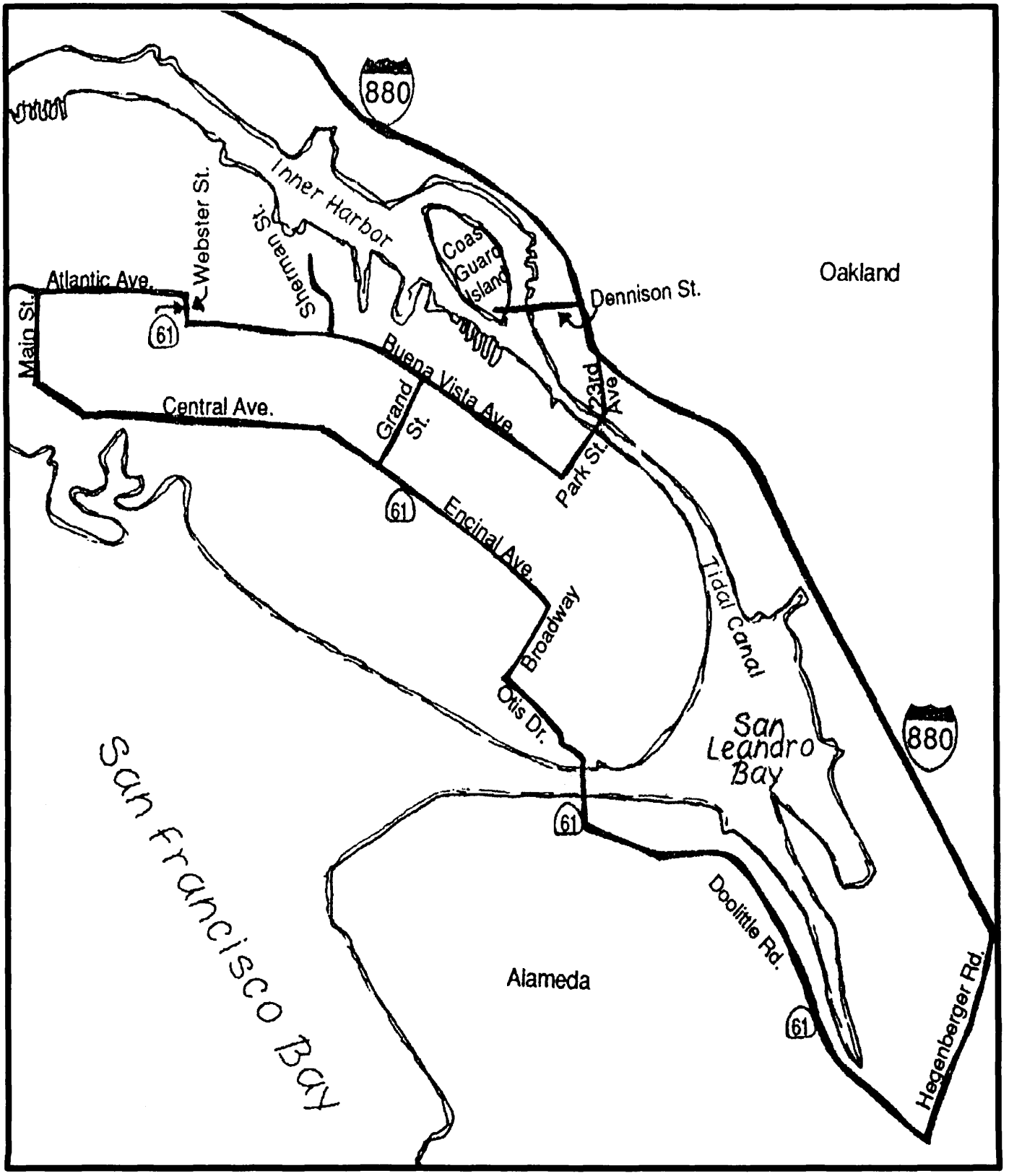
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).
2. Repealer and new subsection (a) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).

§ 13–1151.8.3. Routes and Stops—Map 8C.

(a) Map 8C.



(b) Safe Stopping Places and Inspection Stops—Map 8C. There are no designated stopping places or inspection stops in the area encompassed by Map 8C.

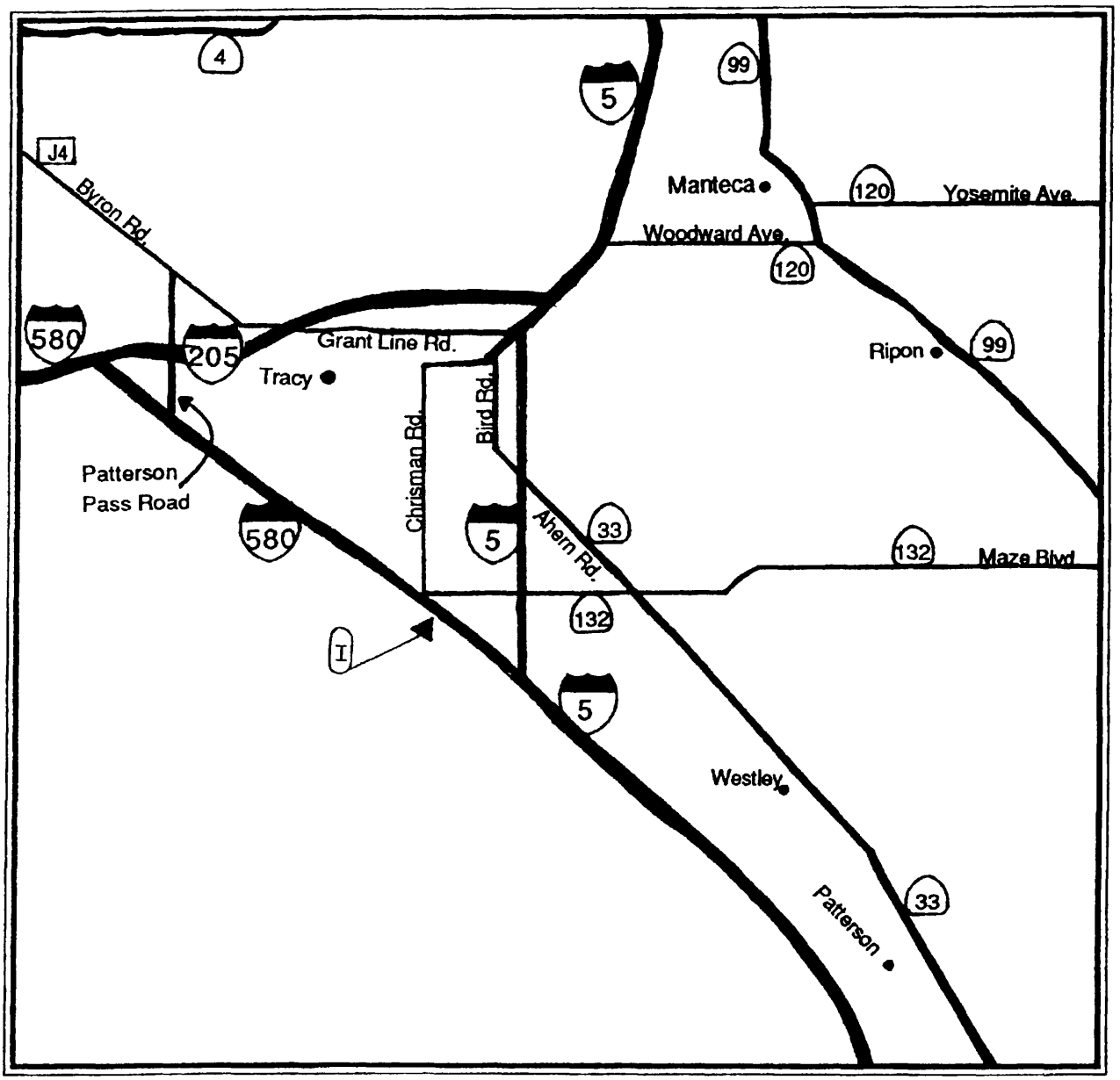
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).

§ 13–1151.8.4. Routes and Stops—Map 8D.

(a) Map 8D.



(b) Safe Stopping Places and Inspection Stops—Map 8D.

(1) INTERSTATE 5.

(A) INSPECTION STOP (south and northbound vehicles): Rest area, 0.5 mile south of San Joaquin–Stanislaus County line.

(B) Westley: Westley Triangle Truck Stop and Restaurant. Food, gasoline, diesel, tire repairs: 24 hours. East of I–5 at Westley exit.

(2) INTERSTATE HIGHWAY 205.

(A) Tracy: Tracy Auto/Truck Plaza, 7500 West 11th Street. Food, gasoline, diesel, propane, scales, tire repairs: 0600–2100. Business 205 at Chrisman Road. Corner of 11th Street and Chrisman Road.

(3) STATE HIGHWAY 99.

(A) Ripon: Jimco Truck Service Plaza, 1022 Frontage Road. Food, gasoline, diesel, LPG, tires, repairs: 24 hours. Located 0.2 mile north of Ripon. Use Jacktone Road interchange, south 0.2 mile on East Frontage Road.

(B) Ripon: Flying J Travel Plaza, 1501 N. Jacktone Road. Food, gasoline, diesel (209) 599–4141.

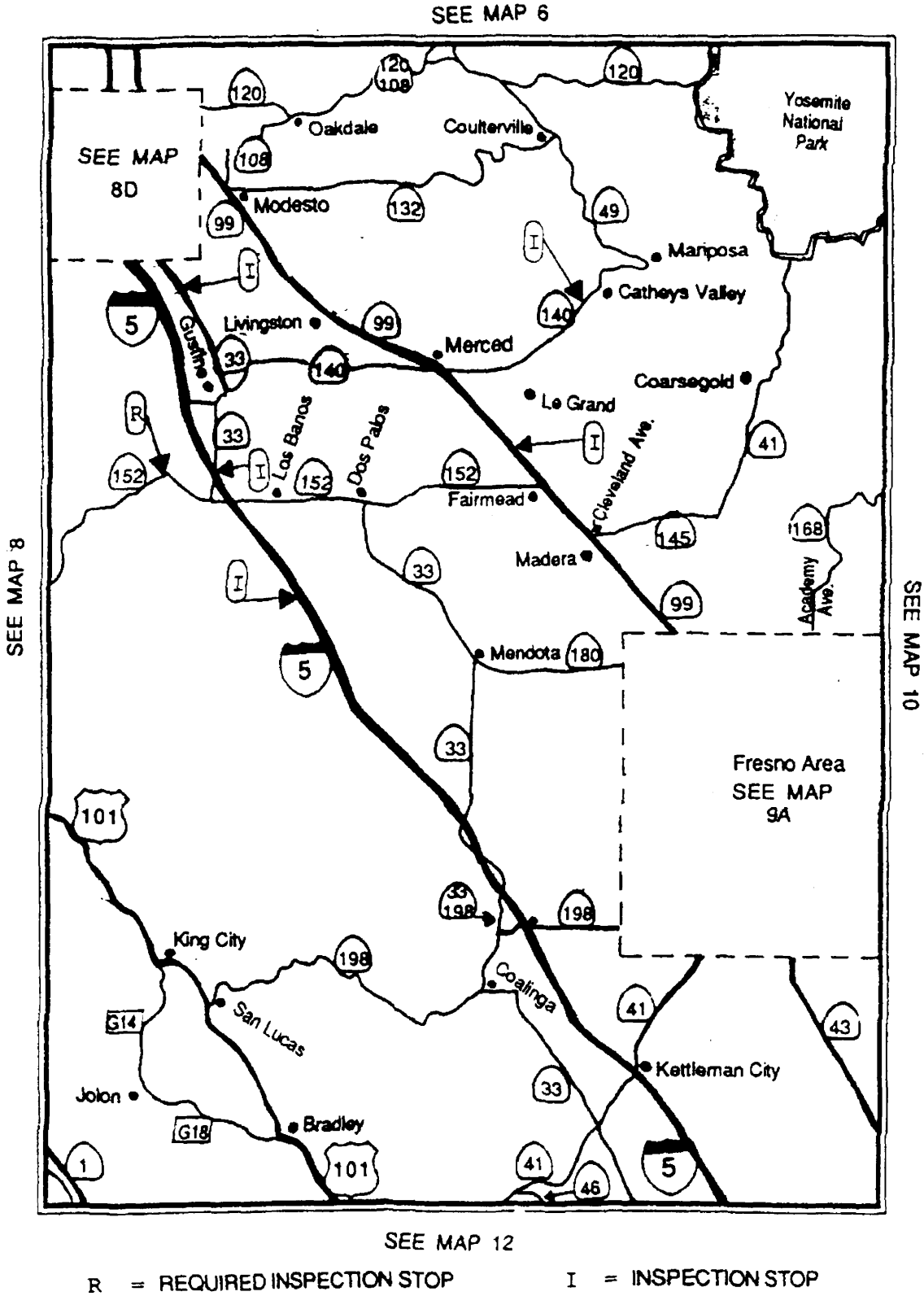
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).
2. Repealer and new subsection (a) and amendment of subsections (b)(1)(A)–(B), (b)(2)(A) and (b)(3)(A) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. New subsection (b)(3)(B) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1151.9. Routes and Stops—Map 9.

(a) Map 9.



R = REQUIRED INSPECTION STOP I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 9.

(1) INTERSTATE HIGHWAY 5.

(A) *INSPECTION STOP: State of California platform scales, 2 miles north of SR–33 interchange.

(B) INSPECTION STOP: Nees Avenue Rest Area, 0.5 mile north of Nees Avenue.

(C) Santa Nella: Mid–Cal Auto/Truck Plaza, 12310– SR–33. Food, gasoline, diesel, minor repairs: 24 hours. Located at I–5 and SR–33 junction.

(D) Santa Nella: Rotten Robbie's Truck Stop, 12860 SR–33. Gasoline, diesel, food at mini–mart: 24 hours. Located at I–5 and SR–33 junction.

(E) Kettleman City: Kettleman City Beacon Truck Service, 33190 Hubert Way. Food, gasoline, diesel, tire service, repairs: 24 hours. Located 0.5 mile north of I–5 on SR–41.

(2) STATE HIGHWAY 33.

(A) INSPECTION STOP: Patterson Receiving Station, south of Patterson.

(B) Santa Nella: Mid–Cal Auto/Truck Plaza, 12310 SR–33. Food, gasoline, diesel, minor repairs: 24 hours. I–5 and SR–33 junction.

(C) Santa Nella: Rotten Robbie's Truck Stop, 12860 State Route 33. Gasoline, diesel, food at mini–mart: 24 hours. Located at I–5 and SR–33 junction.

(D) Dos Palos: Cattleman's Restaurant, 16575 South Highway 33, Food: 0700–1900 (Monday through Saturday). Located 0.5 mile south of SR–152.

(E) Three Rocks: Three Rocks Cafe. Food: 0600–1800 (winter), 0600–2000 (summer). Located four miles north of I–5.

(F) Tracy: Green Valley Transportation Inc., 30131 S. Hwy 33.

(3) STATE HIGHWAY 41.

(A) Coarsegold: Quick Serve Market, 35311 Highway 41. Food, gasoline, diesel, minor tire repairs: 0700–2200 (Monday through Saturday), 0800–2200 (Sunday).

(B) Kettleman City: Kettleman City Beacon Truck Service, 33190 Hubert Way. Food, gasoline, diesel, tire service, repairs: 24 hours. Located 0.5 mile north of I–5 on SR–41.

(4) STATE HIGHWAY 99.

(A) INSPECTION STOP (south and northbound vehicles): Rest area, 0.5 mile north of Merced–Stanislaus county line.

(B) *INSPECTION STOP (northbound vehicles) State of California Chowchilla River Inspection Facility. Located at merced county line.

(C) Legrand: Diesel Country Truck Stop (northbound vehicles): 8040 South Highway 99. Food, gasoline, diesel: 24 hours. Located 1.5 miles north of Merced–Madera county line. Located 1.5 miles north of Merced–Madera county line.

(5) STATE HIGHWAY 132.

(A) Modesto: Fruit Yard, 7948 Yosemite Boulevard. Food, gasoline, diesel: 0600–2300. Located seven miles east of Modesto, at Geer Road.

(B) Modesto: The Mint Club, 7000 Maze Boulevard. Food: 0800–2400. Located six miles west of Modesto, at Hart Road.

(C) Modesto: Smart Stop, 6943 Maze Boulevard. Food, gasoline, diesel: 0500–2200. Located on northeast corner of SR–132 and Hart Road.

(6) STATE HIGHWAY 140.

(A) INSPECTION STOP: Parking area adjacent to turnout, 7 miles east of Merced–Mariposa county line at intersection with Old Highway.

(B) Catheys Valley: The Oasis Gas Station, 2675 Highway 140E. Food, gasoline, grocery: 0600–2200.

(7) STATE HIGHWAY 152.

(A) REQUESTED INSPECTION STOP (westbound vehicles): Pacheco Pass, 0.5 mile west of the Merced county line.

---

*May be used as a "Safe Parking Place" when driver is given specific instructions by a member of the California Highway Patrol.

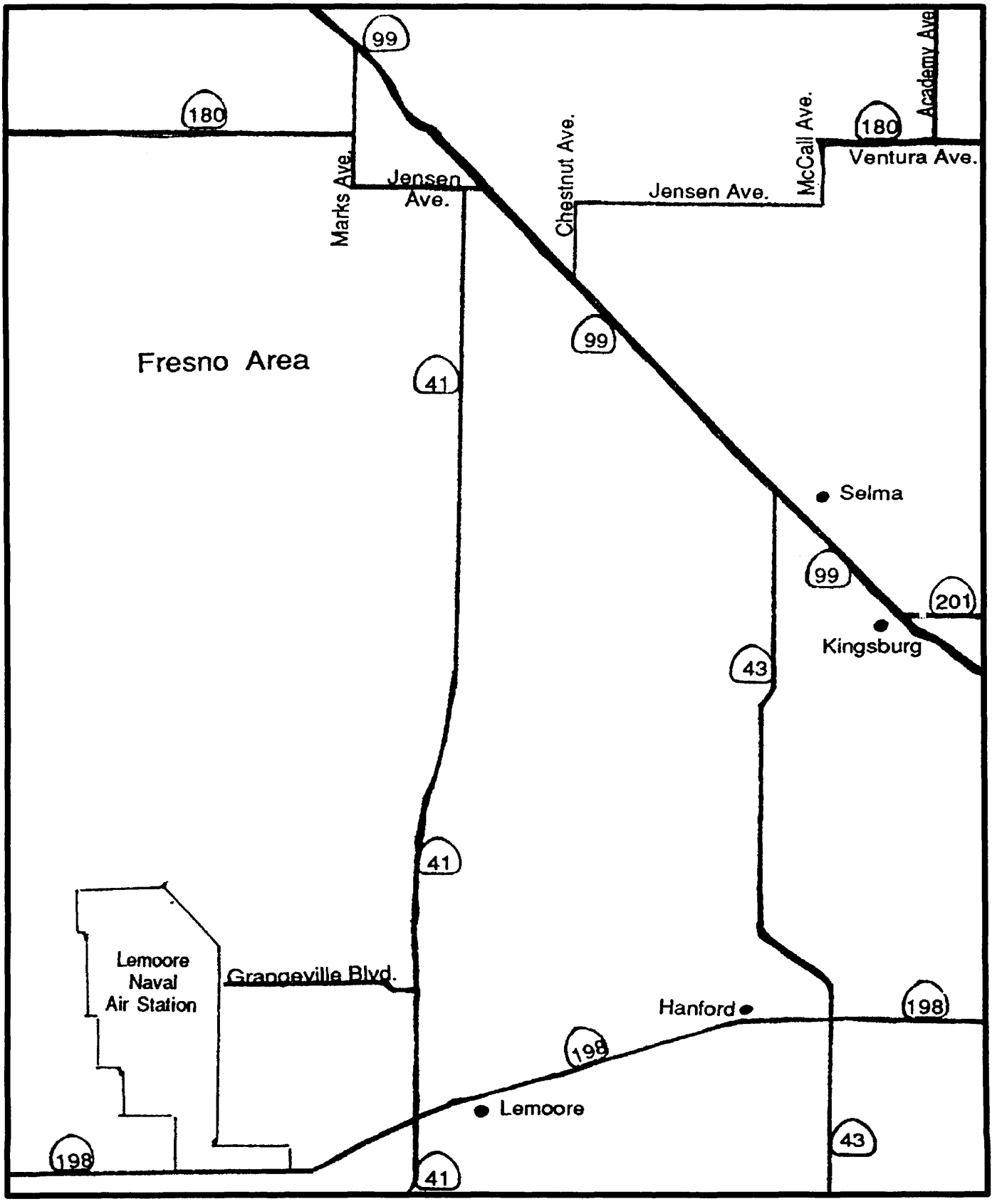
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 91, No. 15.
2. Amendment filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Repealer and new subsection (a) (Map 9), and amendment of subsection (b)(4)(B), repealer of subsection (b)(4)(C) and subsection relettering filed 12–10–96; operative 12–10–96 pursuant to Vehicle Code section 31616 (Register 96, No. 50).
5. Amendment of subsection (b)(2)(E), new subsection (b)(2)(F) and amendment of subsection (b)(3)(A) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1151.9.1. Routes and Stops—Map 9A.

(a) Map 9A.



(b) Safe Stopping Places and Inspection Stops—Map 9A.

(1) STATE HIGHWAY 41.

(A) Lemoore: Adolfo's Silver Buckle Restaurant, 44 North 19 1/2 Street. Food: 0600–2200. Exit SR–41 at Bush Street, park in truck parking area.

(B) Lemoore: West Lemoore Service Station, 1790 West Bush Street. Gasoline, diesel, tire and minor repairs: 0600–2200 (Monday through Saturday), 0700–2200 (Sunday). Exit SR–41 at Houston Avenue.

(2) STATE HIGHWAY 99.

(A) Fresno: Klein's Truck Stop, Hwy 99 at Herndon, Fresno, CA. Food, gas, fuel, tire and minor repairs. 24 Hours.

(B) Fresno: Beacon 5th Wheel Truck Stop, 3767 South Highway 99. Food, gasoline, diesel, tire and minor repairs: 24 hours.

(C) Fowler: Texaco Star Mart, Hwy 99 at Manning. Food, gas, fuel, mobile repairs: 24 hours.

(c) Restrictions—Fresno. Northbound vehicles on SR–41 turn east on Jenson Avenue to SR–99, then north to Belmont Avenue. South on Marks Avenue to SR–180.

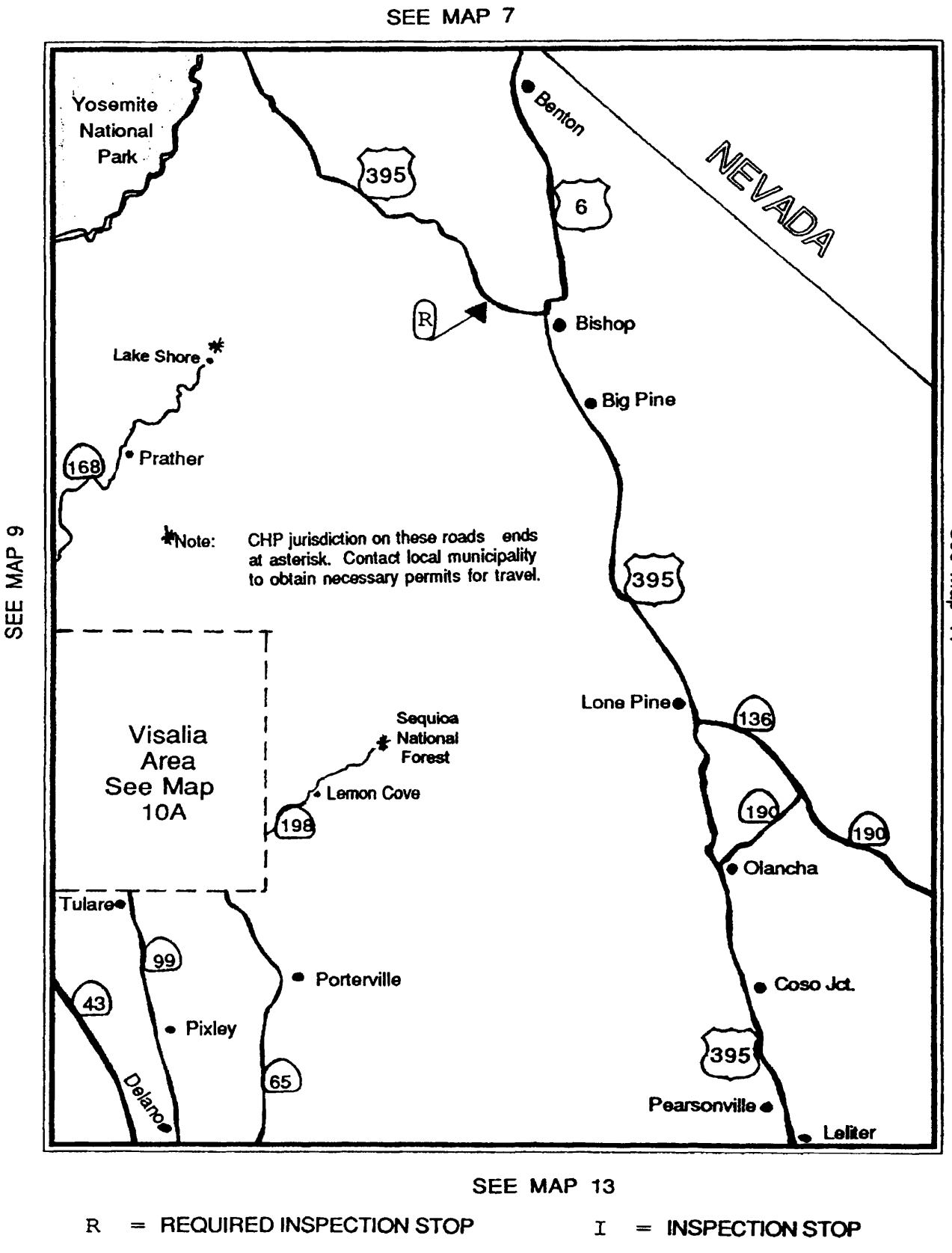
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).
2. Amendment of subsections (b)(1)(A)–(B) and (b)(2)(A)–(c) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Amendment of subsection (b)(2)(A) and repealer and new subsection (b)(2)(C) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1151.10. Routes and Stops—Map10.

(a) Map 10.



(b) Safe Stopping Places and Inspection Maps—Map 10.

(1) U.S. HIGHWAY 6.

(A) REQUIRED INSPECTION STOP (southbound): State of California Agricultural Inspection Station, Benton, 5 miles south of the Nevada state line.

(2) U.S. HIGHWAY 395.

(A) REQUIRED INSPECTION STOP (southbound vehicles): Sherwin Hill Grade, 19.3 miles north of Bishop at Milepost MNO 6.96.

(B) Coso Junction: Coso Junction Ranch Store. Food, gasoline: 0500–2300. US 395 at Coso Road, 30 miles south of Lone Pine.

(C) Bishop: Tom's Place. Food: 0600–2130. Located 23 miles north of Bishop. Adequate parking within sight of cafe.

(D) Inyokern: Brady's Mini–Mart, 4467 Junction 395/SR–14. Food at mini–mart, gasoline, minor repairs: 1000–2200. Located 0.5 mile north of SR–14 and US–395 junction.

(E) Pearsonville: Pearsonville Shell, 102 North Pearson Road. Food, fuel, 24 hours. No repairs. Located on US 395 at the Inyo/Kern County Line.

(F) Olancha: Ranch House Cafe. Food: 0600–2000. Park a safe distance from restaurant.

(G) Bishop: Inyo Shell Y Mart, 1274 North Main Street. Food, fuel, no repairs. Open 24 hours. Located at the Junction of US 395 and US 6.

(3) STATE ROUTE 99.

(A) Delano: Pioneer Restaurant, 700 Woollomes Avenue. Food: 24 hours. Located 0.5 mile south of Delano at Woollomes and SR–99.

(B) Delano: Akal Travel Plaza, Avenue 16 & Highway 99. Food, gasoline, diesel: 24 hours. Southbound vehicles take Avenue 16 exit 2 miles north of Delano. Northbound vehicles take Avenue 24 exit.

(C) Tulare: Lyn's Cafe, 1066 East Rankin Avenue. Food, gasoline, diesel: 24 hours. Use the Avenue 200 exit from SR–99. Park on west side of SR–99.

(D) Pixley: U.S.A. Truck Stop, 451 North Park Road. Fuel: 24 hours. Use Court Street exit from SR–99.

(E) Earlimart: Mart Fuel Stop. Food, gas, diesel: 24 hours.

(c) Restrictions—State Highway 190: Single vehicles only between Saline Valley Road (post mile 41.67) and Stove Pipe Wells (post mile 86.05).

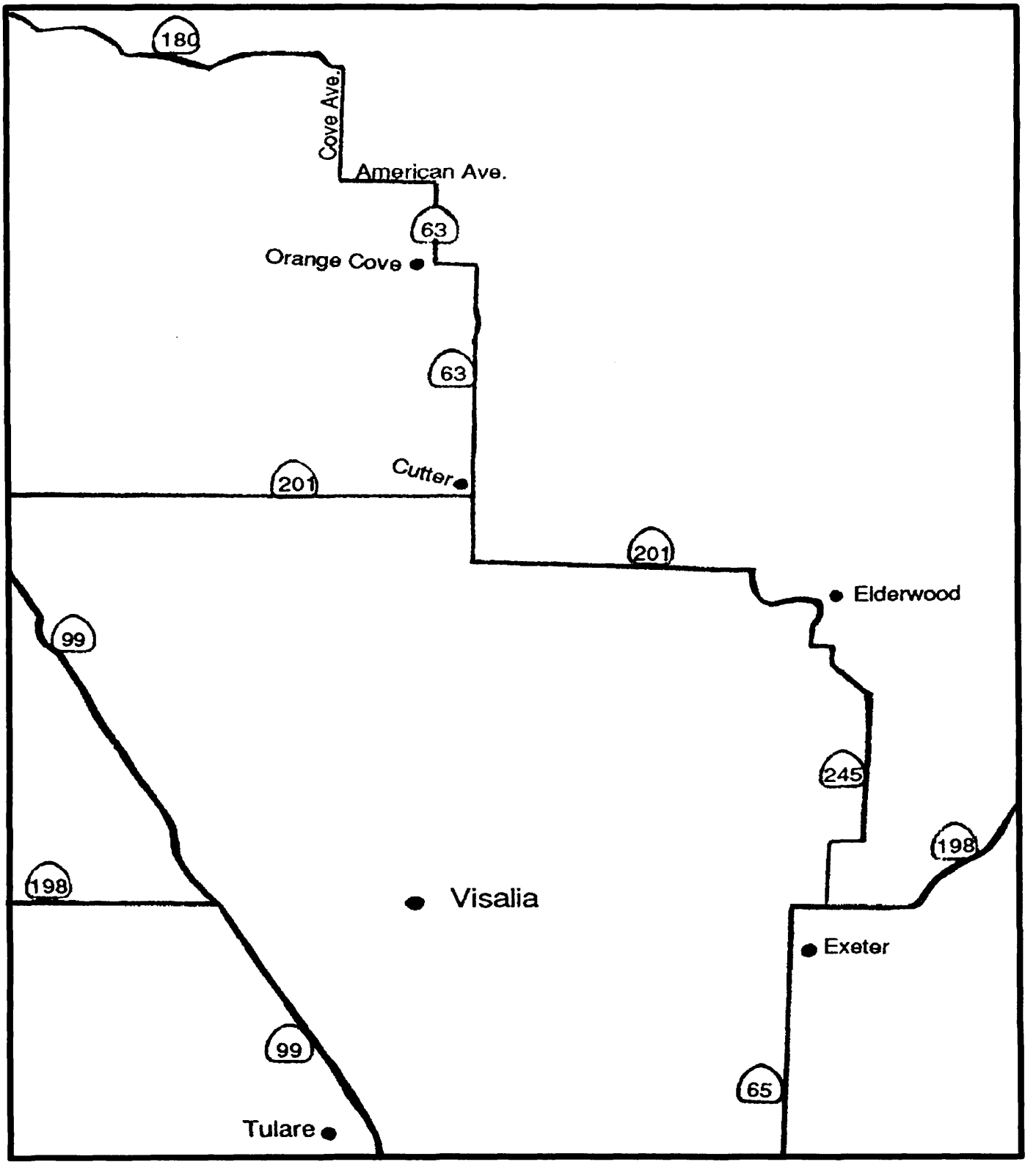
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 92 No. 12.
2. Repealer and new subsection (a), amendment of subsections (b)(1)(A), (b)(2)(B)–(H), (b)(3)(A), new subsections (b)(3)(B) and (E) and subsection redesignation and amendment filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Amendment of subsection (b)(1)(A) filed 12–10–96; operative 12–10–96 pursuant to Vehicle Code section 31616 (Register 96, No. 50).
5. Amendment of subsection (b)(1), new subsection (b)(1)(A), repealer of subsections (b)(2)(C)–(D), subsection relettering, amendment of newly designated subsection (b)(2)(E), new subsection (b)(2)(G) and amendment of subsection (b)(3)(B) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1151.10.1. Routes and Stops—Map10A.

(a) Map 10A.



(b) Safe Stopping Places and Inspection Stops—Map 10A. There are no designated stopping places or inspection stops in the area encompassed by Map 10A.

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).

§ 13–1151.11. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1151.12. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1151.13. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1151.14. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1152. [Reserved].

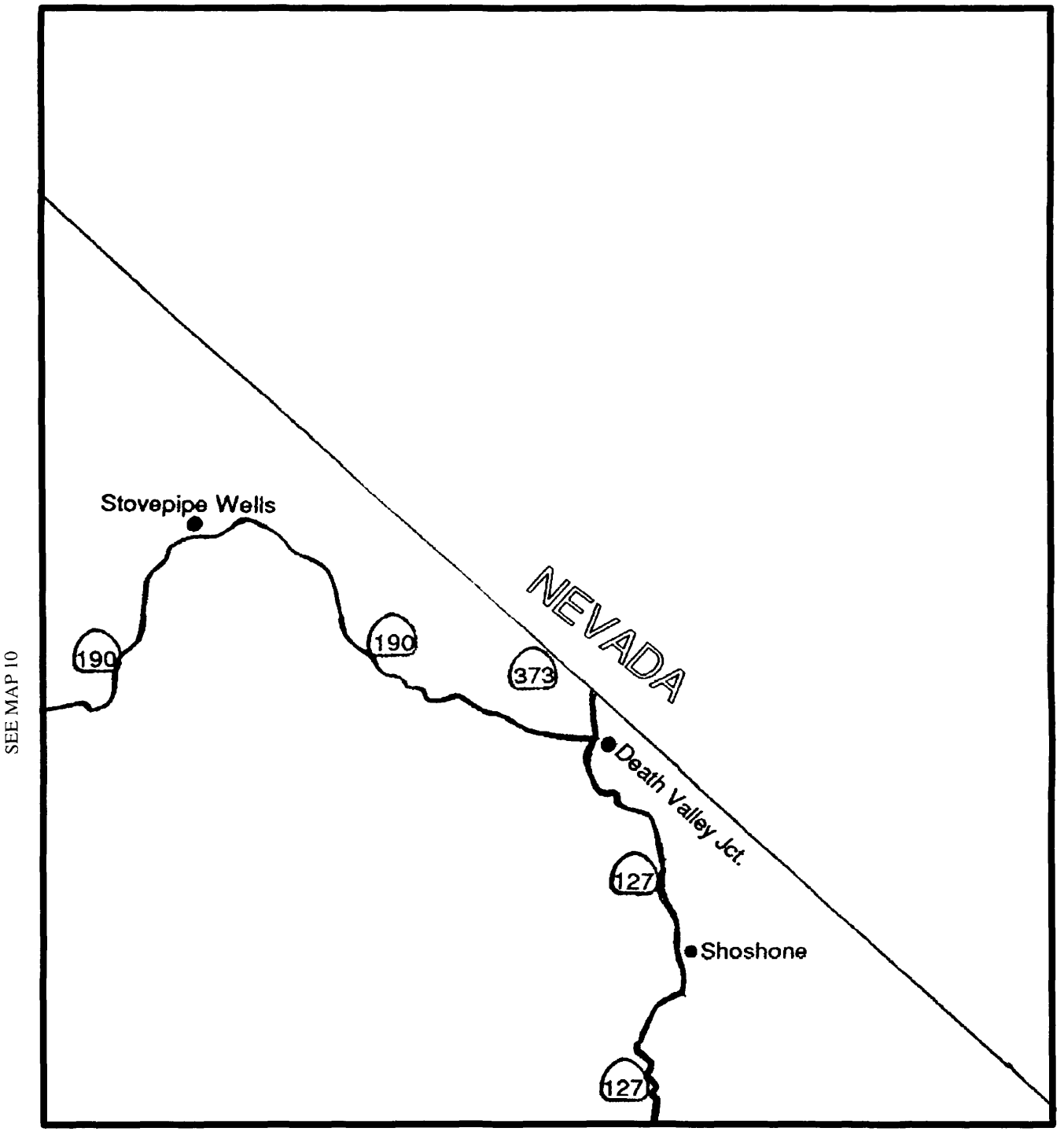
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1152.1. Routes and Stops—Map 11.

(a) Map 11.



R = REQUIRED INSPECTION STOP I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 11. There are no designated stopping places or inspection stops in the area encompassed by Map 11.

(c) Restrictions—State Highway 190: Single vehicles only between Saline Valley Road (post mile 41.67) and Stove Pipe Wells (post mile 86.05).

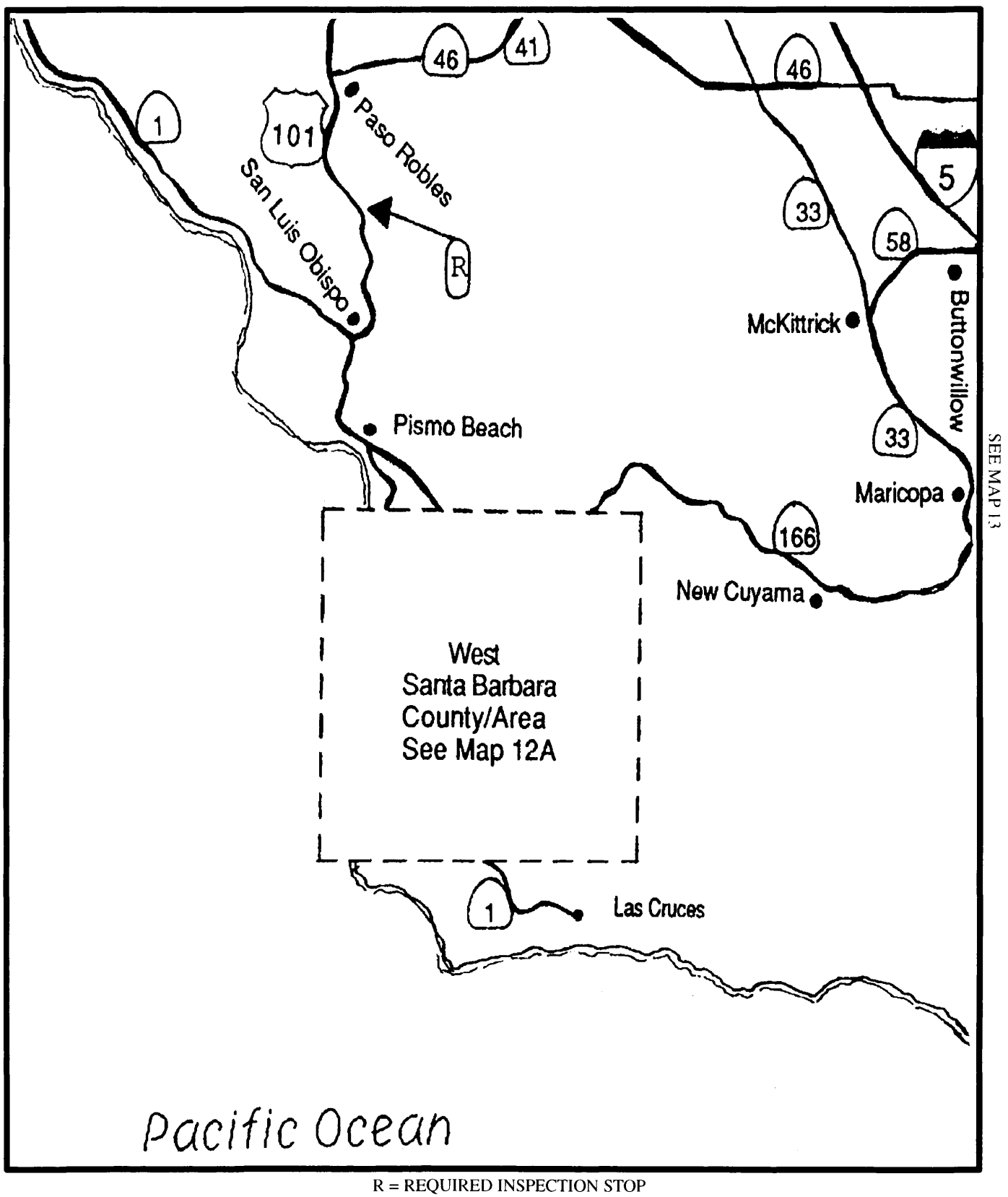
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 92, No. 12.
2. Amendment of subsection (b) and repealer of subsections (b)(1)–(b)(1)(A) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).

§ 13–1152.2. Routes and Stops—Map 12.

(a) Map 12.



R = REQUIRED INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 12.

(1) U.S. HIGHWAY 101.

(A) REQUIRED INSPECTION STOP (southbound vehicles): Summit of Cuesta Grade, 10.4 miles south of Atascadero. No services.

(B) Paso Robles: Paso Robles Diesel Service. Diesel, towing, major repairs: 24 hours. 2348 Golden Hill Drive, Paso Robles, CA 93446.

(C) Paso Robles: San–Paso Truck & Auto. Food, gasoline, diesel, tire repairs: 24 hours. Located 3.5 miles North of Paso Robles. Exit US–101 at Wellsona Road.

(2) STATE HIGHWAY 33.

(A) McKittrick: McKittrick Market. Food: 0500–1900 (Monday–Friday), 0600–1800 (Saturday). Located at junction of SR–58 and SR–33. Park across from fire station on west side of highway.

(3) STATE HIGHWAY 46.

(A) Lost Hills: Burns Brothers, 14814 Aloma. Food, gasoline, diesel: 24 hours. Located at intersection of SR–46 and I–5.

(B) Paso Robles: Golden Oaks Cafe, 2400 Golden Hill Road. Food: 0600–2000. Located two miles east of Paso Robles at Golden Hill Street.

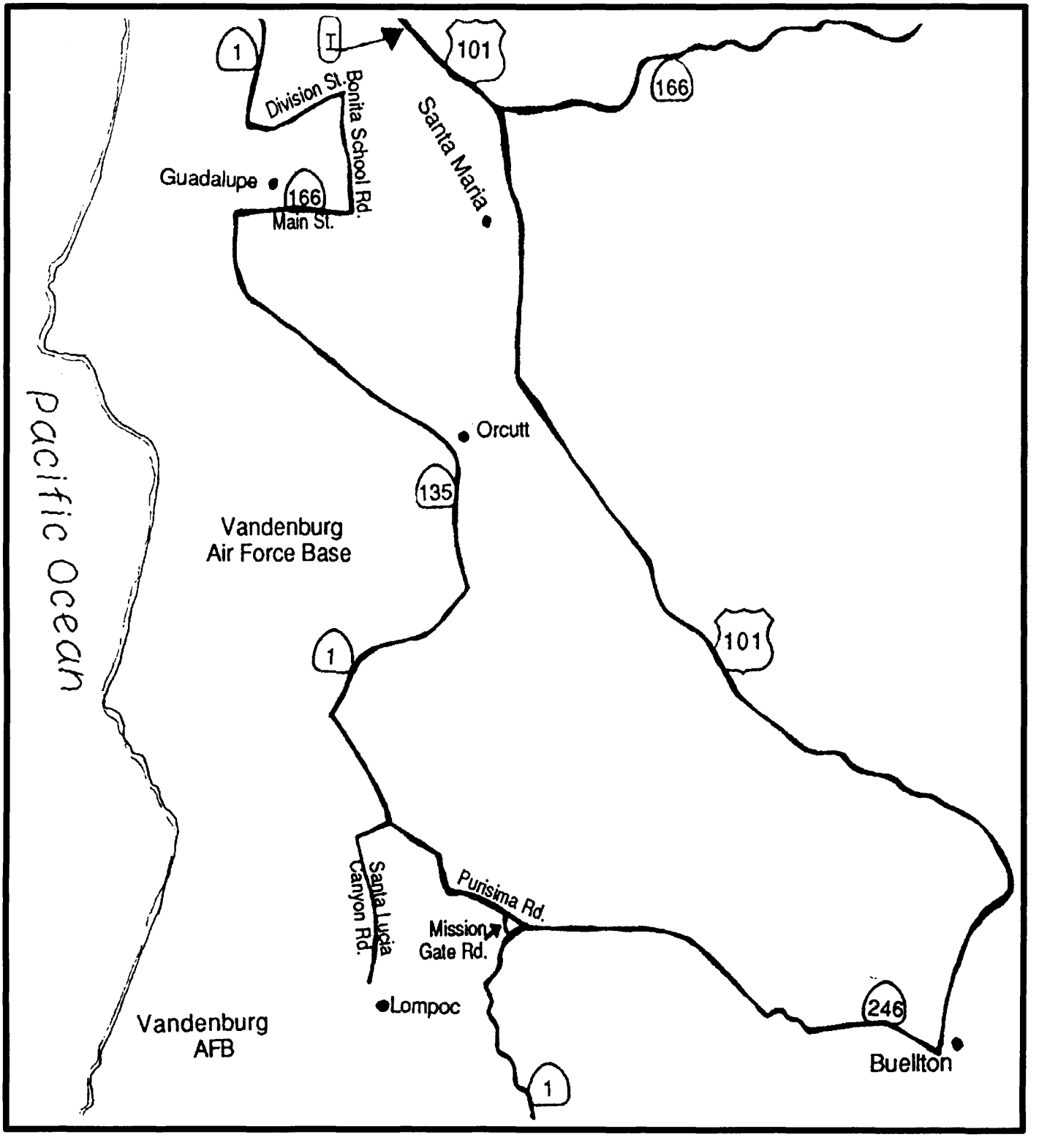
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 88, No. 26.
2. Amendment of subsections (b)(1)(B)–(C), (b)(2)(A), new subsection (b)(3)(A) and redesignation and amendment of former subsection (b)(3)(B) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Amendment of subsection (b)(1)(B) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1152.2.1. Routes and Stops—Map 12A.

(a) Map 12A.



I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 12A.

(1) U.S. *HIGHWAY 101.*

(A) *INSPECTION STOP (northbound vehicles): Rest area, 8.4 miles north of Santa Maria River Bridge. No services.

(B) Santa Maria: The Fuel Connection, 1155 East Betteravia Road. Food, gasoline, diesel, minor repairs: 24 hours. Located on east side of highway; U.S. 101 at Betteravia Road.

(c) Special Restrictions—Vandenberg AFB–Lompoc Area.

Transportation to and from Vandenberg Air Force Base shall be in accordance with the following:

(1) From the north (Santa Maria) to Lompoc Gate. South on SR–1 to Vandenberg AFB main gate, continue south on SR–1 to Santa Lucia Canyon Road. West on Santa Lucia Canyon Road to Lompoc Gate.

NOTE: Upon arrival at Lompoc Gate, request air force law enforcement escort to final destination.

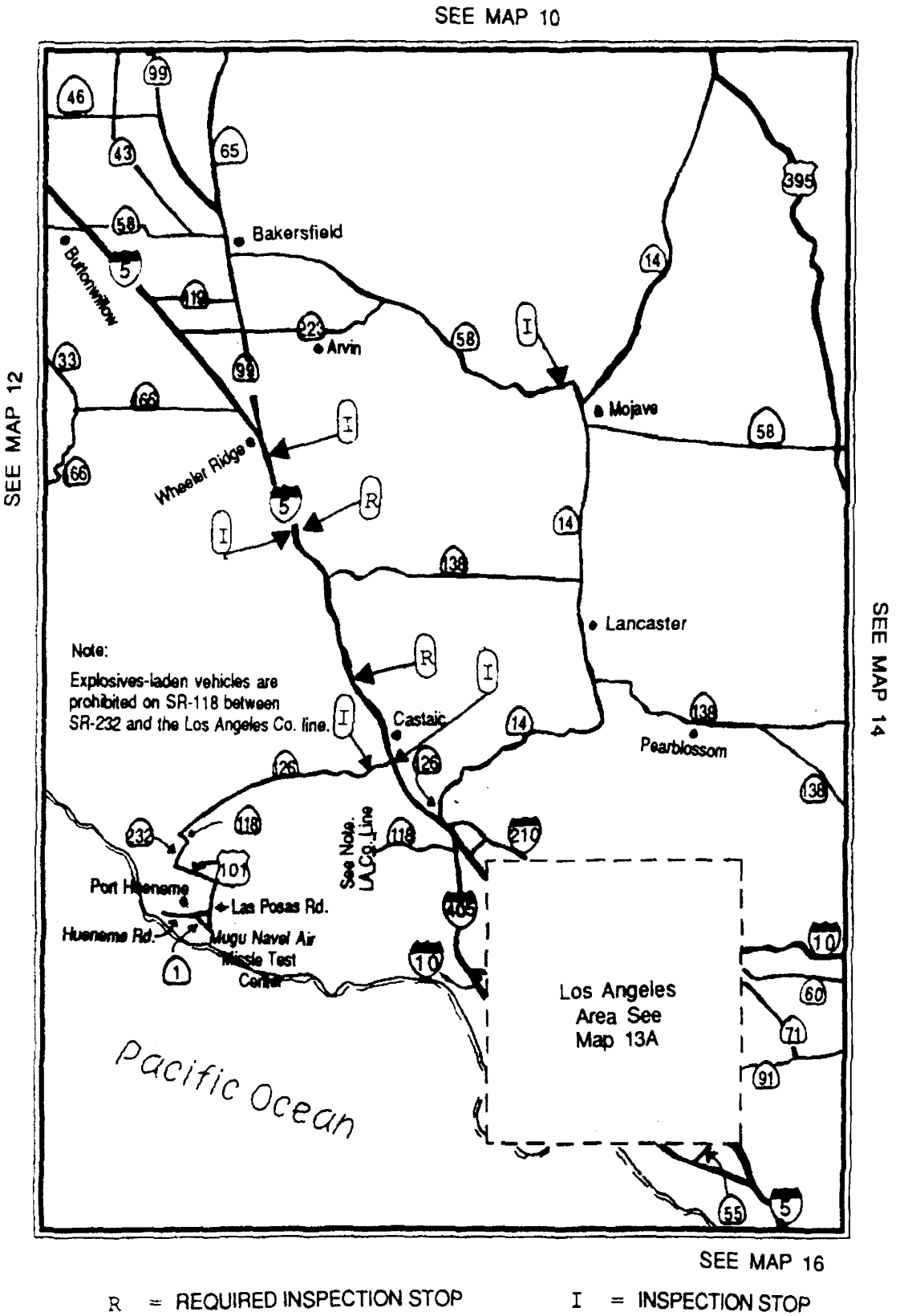
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).
2. Amendment of subsection (b)(1)(B) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).

§ 13–1152.3. Routes and Stops—Map 13.

(a) Map 13.



(b) Safe Stopping Places and Inspection Stops—Map 13.

(1) INTERSTATE HIGHWAY 5.

(A) REQUIRED INSPECTION STOP (Northbound vehicles): Lebec Rest Area 0.6 miles north of Kern–Los Angeles County line. No food or fuel.

(B) REQUIRED INSPECTION STOP (southbound vehicles): Whittaker Summit truck inspection area. Eight miles north of Castaic.

(C) *INSPECTION STOP (southbound vehicles): State of California platform scales, Wheeler Ridge, 31 miles south of Bakersfield. No services.

(D) INSPECTION STOP (southbound vehicles): Tejon Pass, 1 mile north of Gorman. Designated truck inspection area. No services.

(E) *INSPECTION STOP (northbound vehicles): State of California Castaic Inspection Facility, 0.25 mile south of junction I–5 and SR–126. No food or fuel.

(F) Buttonwillow: Bruce's Buttonwillow Auto/Truck Plaza. Food, gasoline, repairs: 24 hours. Located at junction of I–5 and SR–58.

(G) Arvin: Truck Stops of America – Wheeler Ridge, 5800 Wheeler Ridge Road. Food, gasoline, diesel, repairs, money transfer service: 24 hours. Located at I–5 and Laval Road.

(H) Castaic: McDonalds, 27701 Lake Hughes Road. Food: 24 hours. Take Lake Hughes exit.

(I) Castaic: Giant Truck Stop of Castaic, 31711 Castaic Road. Food, gasoline, diesel, repairs: 24 hours. Take Lake Hughes exit from I–5.

(J) Castaic: Castaic Garage, 32254 Castaic Road. Towing, repairs: 24 hours. Take Lake Hughes exit.

(K) Castaic: Cafe Mike, 31537 Castaic Road. Food: 24 hours. Take Lake Hughes exit.

(L) Frazier Park: Flying J, 42810 Frazier Mountain Park Road. Food, gasoline, diesel: 24 hours. (661) 248–2600.

(2) STATE HIGHWAY 14.

(A) INSPECTION STOP: Escondido Summit, 9 miles southwest of Palmdale, designated truck rest area.

(B) Mojave: Giant Truck Stop of Mojave, 16600 Sierra Highway. Gasoline, diesel, minor repairs: 24 hours. Located 0.5 mile south of SR–14 and SR–58 junction.

(3) STATE HIGHWAY 58.

(A) INSPECTION STOP (westbound vehicles): State of California platform scales, 6 miles west of Mojave. No food or fuel.

(B) Mojave: Jerry's Restaurant, 2348 Highway 58. Food: 24 hours. Located at junction of SR–58 and SR–14 (south end of town).

(4) STATE HIGHWAY 99.

(A) Bakersfield: Bear Mountain Truck Stop, 15840 Costajo Road. Food, gasoline, diesel, scale: 24 hours. Located four miles south of SR–119 interchange. Use Bear Mountain Boulevard exit from SR–99.

(B) Bakersfield: Doug's Truck Scales/Kelly's Café, 8730 Golden State Highway. Food: 0500–2100 (Monday through Friday), 0500–1400 (Saturday), 0600–1400 (Sunday). Scales: 0800–1700 (Monday through Friday). Located five miles north of Bakersfield; SR–99 at 7th Standard.

(C) Pumpkin Center: Mikuls Pumpkin Center Truck Terminal. Food, diesel: Open Saturday 0700–1700, open Sunday 1800 until Friday 2200 hours. 24–hour operation. Located at SR–99 and SR–119. 8 miles south of Bakersfield. Approximately 5 acres of parking space.

(D) Bakersfield: Flying J, 17047 Zachary Avenue. Food, gasoline, diesel, showers. 24 hours. Located 12 miles north of Bakersfield, use the Merced Avenue off–ramp from SR–99. 250 parking spaces.

(5) STATE HIGHWAY 138.

(A) Pearblossom: Cottonwood Truckstop and Cafe, 12754 Pearblossom Highway. Food, diesel: 24 hours. Park west or north of restaurant, off highway, 50 ft. from buildings.

(c) Restrictions—State Highway 118. Explosives–laden vehicles are prohibited on SR–118 between SR–232 and the Los Angeles county line.

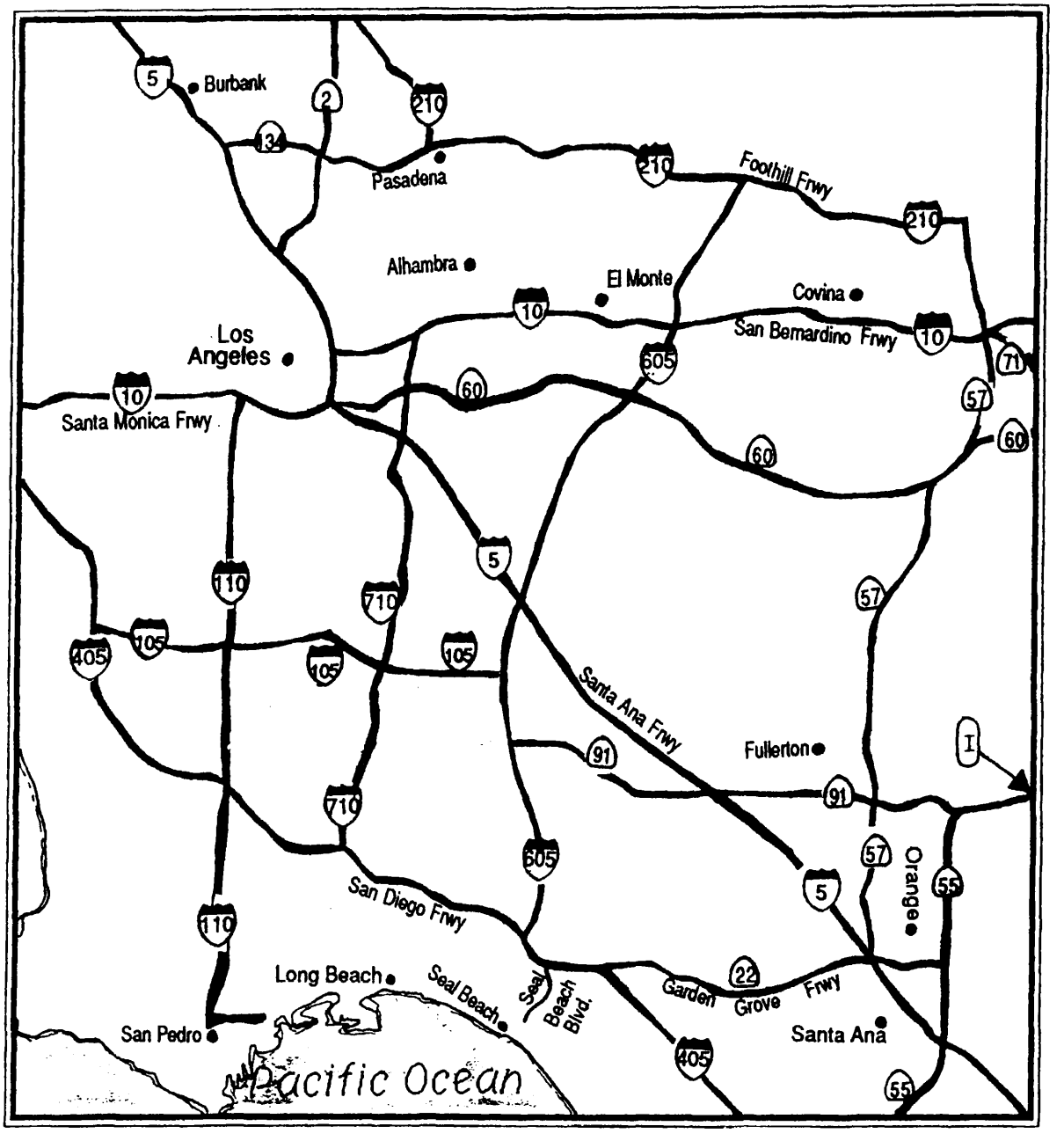
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 91, No. 15.
2. Amendment filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Repealer and new subsection (a) (Map 13), amendment of subsections (b)(1)(A) and (b)(1)(E), repealer of subsection (b)(1)(F) and subsection relettering filed 12–10–96; operative 12–10–96 pursuant to Vehicle Code section 31616 (Register 96, No. 50).
5. New subsection (b)(1)(L), amendment of subsections (b)(4)(A)–(C) and new subsection (b)(4)(D) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1152.3.1. Routes and Stops—Map 13A.

(a) Map 13A.



R = REQUIRED INSPECTION STOP I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 13A.

(1) INTERSTATE HIGHWAY 10.

(A) Ontario: Ontario 76 Auto/Truck Plaza, East Guasti Road. Food, gasoline, diesel, propane, tire repairs: 24 hours. Take the Milliken Avenue exit from I–10. Parking for 250 vehicles.

(B) Ontario: Truckstops of America, 4325 Guasti Road. Food, gasoline, diesel, store, scales, controlled parking: 24 hours. Take the Milliken Avenue exit from I–10. Ask for security at gate for fueling and parking areas.

(2) STATE HIGHWAY 91.

(A) INSPECTION STOP (east and westbound vehicles): State of California platform scales, 1 mile west of Weir Canyon Road.

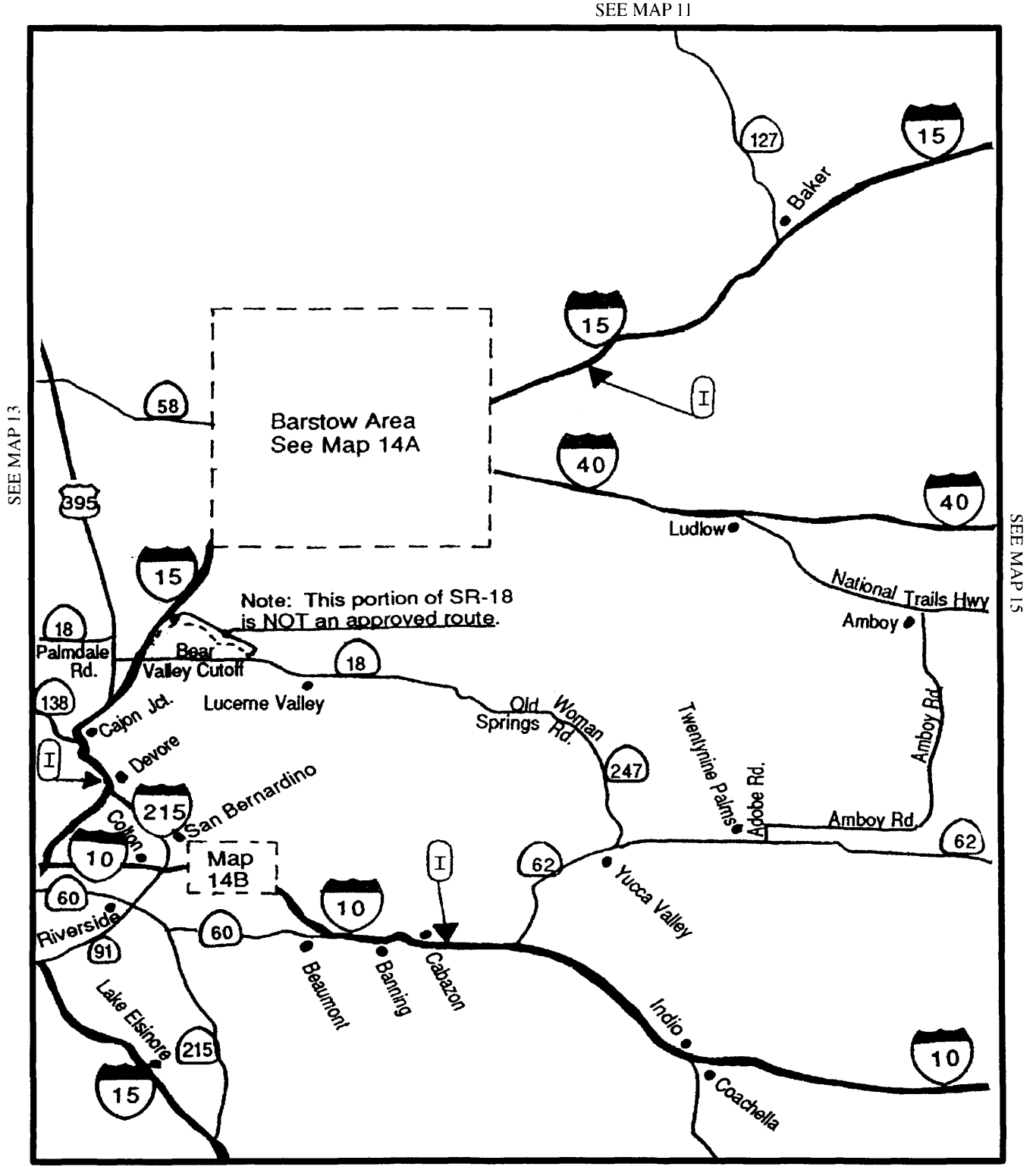
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).
2. Repealer and new subsection (a), amendment of subsection (b)(1)(A) and new subsection (b)(1)(B) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).

§ 13–1152.4. Routes and Stops—Map 14.

(a) Map 14.



SEE MAP 16 SEE MAP 17

R = REQUIRED INSPECTION STOP I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 14.

(1) INTERSTATE HIGHWAY 10.

(A) *INSPECTION STOP (east and westbound vehicles): State of California platform scales (eastbound) and inspection facility (westbound), 1 mile east of Banning.

(B) Cabazon: Wheel Inn Restaurant, 50900 Semiole Drive. Food: 24 hrs. Take Main Street exit from I–10.

(C) North Palm Springs: Pilot Travel Center #307, 19997 Indian Avenue. Food, diesel: 24 hours.

(D) Thousand Palms: Flying J Truck Stop, 72235 Varner Road. Food, gasoline, diesel: 24 hours. Take Ramon Road exit from I–10.

(E) Colton: Dieterich International Truck Sales, Inc., 2200 East Steel Road. Repairs: 0800–0100 (Monday–Friday), 0800–1200 (Saturday). Take South Waterman Avenue exit from eastbound I–10, west on Redlands Boulevard to Steel Road.

(F) Colton. Bekin Truck Stop, 23659 Steel Road. Food, Diesel, Mini-Mart 24 hours. Tires 0800 to 1700 hours. Eastbound I–10 to Waterman Avenue, South off ramp, West on Redlands Boulevard to Steel Road. West Bound to Waterman Avenue, West on Hospitality Lane to Hunts Lane, South on Hunts Lane to Steel Road.

(G) Coachella: Burns Brothers Truck Stop, 46155 Dillion Road. Food, gasoline, diesel, repairs: 24 hours.

(2) INTERSTATE 15.

(A) INSPECTION STOP: Clyde V. Kane Rest Stop, 22 miles east of Yermo. Restrooms and water. No food or fuel.

(B) INSPECTION STOP (both directions): State of California platform scales, just south of SR–138 intersection.

(C) Lake Elsinore: ARCO Service Station/AM–PM Mini Mart (Le Blanc's), 17595 Grand Avenue. Food, gasoline: 0500–2130.

(D) Victorville: Peggy Sue's Diner, I–15 and Stoddard Wells Road. Food.

(3) INTERSTATE HIGHWAY 40.

(A) Ludlow: Ludlow Cafe and Service Station, I–40 at Crucero Road. Food, gasoline, diesel, tire repair: 0600–2200.

(4) U.S. HIGHWAY 395.

(A) Phelan: Outpost Truck Stop, 8685 Highway 395, (at I–15), Herperia. Food, fuel, wash rack and repairs: 24 hours.

(B) Pilot Truck Stop, 8701 Highway 395 (at I–15), Hesperia. Food and fuel.

---

*May be used as a "Safe Parking Place" when driver is given specific instructions by a member of the California Highway Patrol.

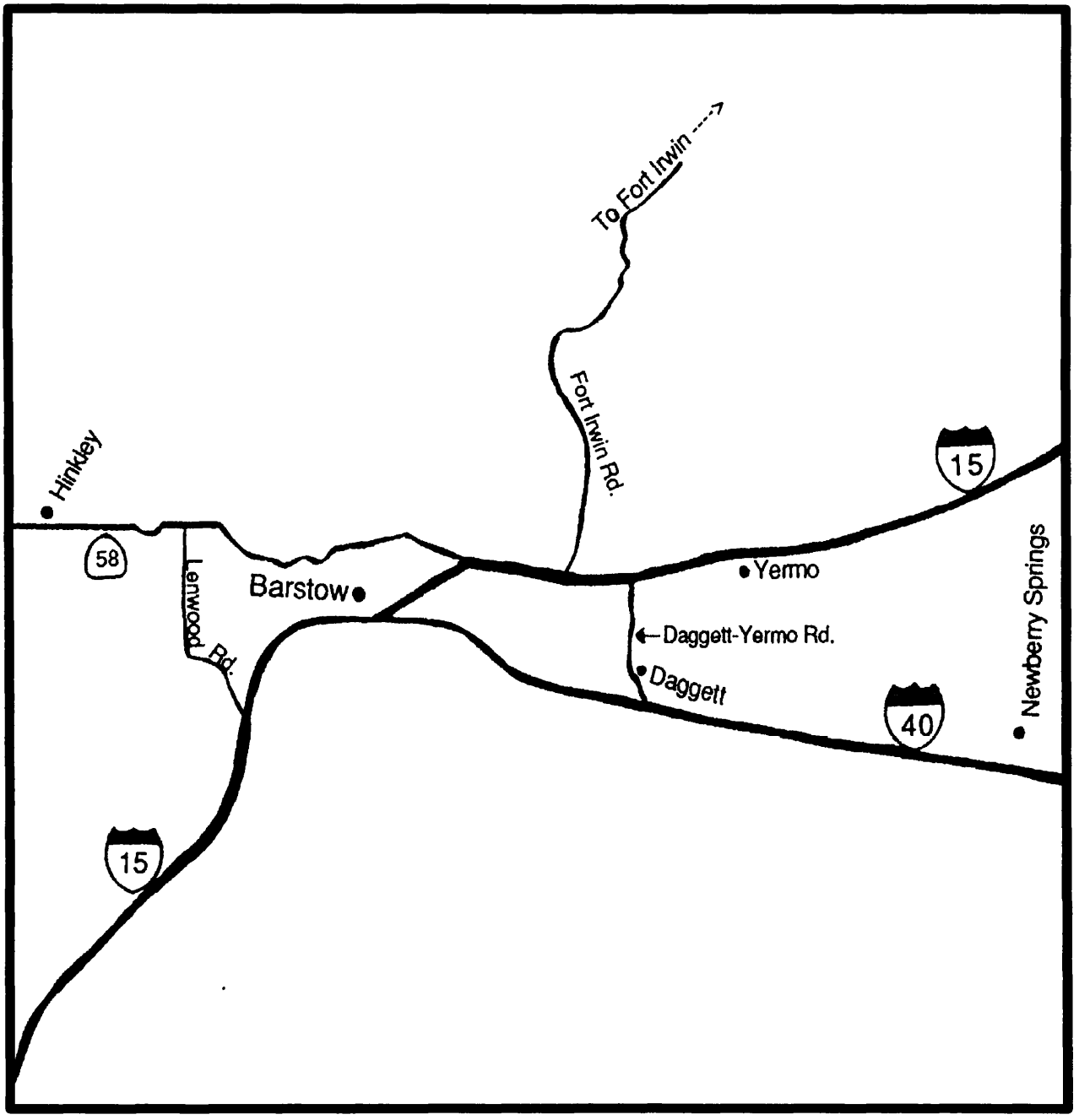
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 88, No. 26.
2. Amendment of subsections (b)(1)(B)–(E), (b)(2)(C)–(D), (b)(3)(A) and (b)(4)(A) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. New subsection (b)(1)(E) and subsection relettering filed 12–10–96; operative 12–10–96 pursuant to Vehicle Code section 31616 (Register 96, No. 50).
5. New subsection (b)(1)(C), subsection relettering, amendment of subsections (b)(2)(D) and (b)(4)(A) and new subsection (b)(4)(B) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1152.4.1. Routes and Stops—Map 14A.

(a) Map 14A.



(b) Safe Stopping Places and Inspection Stops—Map 14A.

(1) INTERSTATE HIGHWAY 15.

(A) Barstow: Rip Griffin Truck Travel Center, 2930 Lenwood Road. Food, gasoline, diesel, repairs: 24 hours. Take Lenwood Road exit from I–15.

(B) Barstow: Heart Land Truck Stop, 2250 West Main Street. Food, gasoline, diesel, propane, minor repairs: 24 hours.

(C) Barstow: Flying J Travel Plaza, 2611 Fisher Boulevard. Food, gasoline, diesel: 24 hours. 760–253–7043.

(2) INTERSTATE HIGHWAY 40.

(A) Newberry Springs: Desert Diesel. Gasoline, diesel: 24 hours. Take National Trails Highway or Newberry Springs exits from I–40.

(B) Newberry Springs: Bagdad Cafe, 46548 National Trails Highway. Food: Sunrise to sunset. Take Newberry Springs or Fort Cady exit from I–40.

---

*May be used as a "Safe Parking Place" when driver is given specific instructions by a member of the California Highway Patrol.

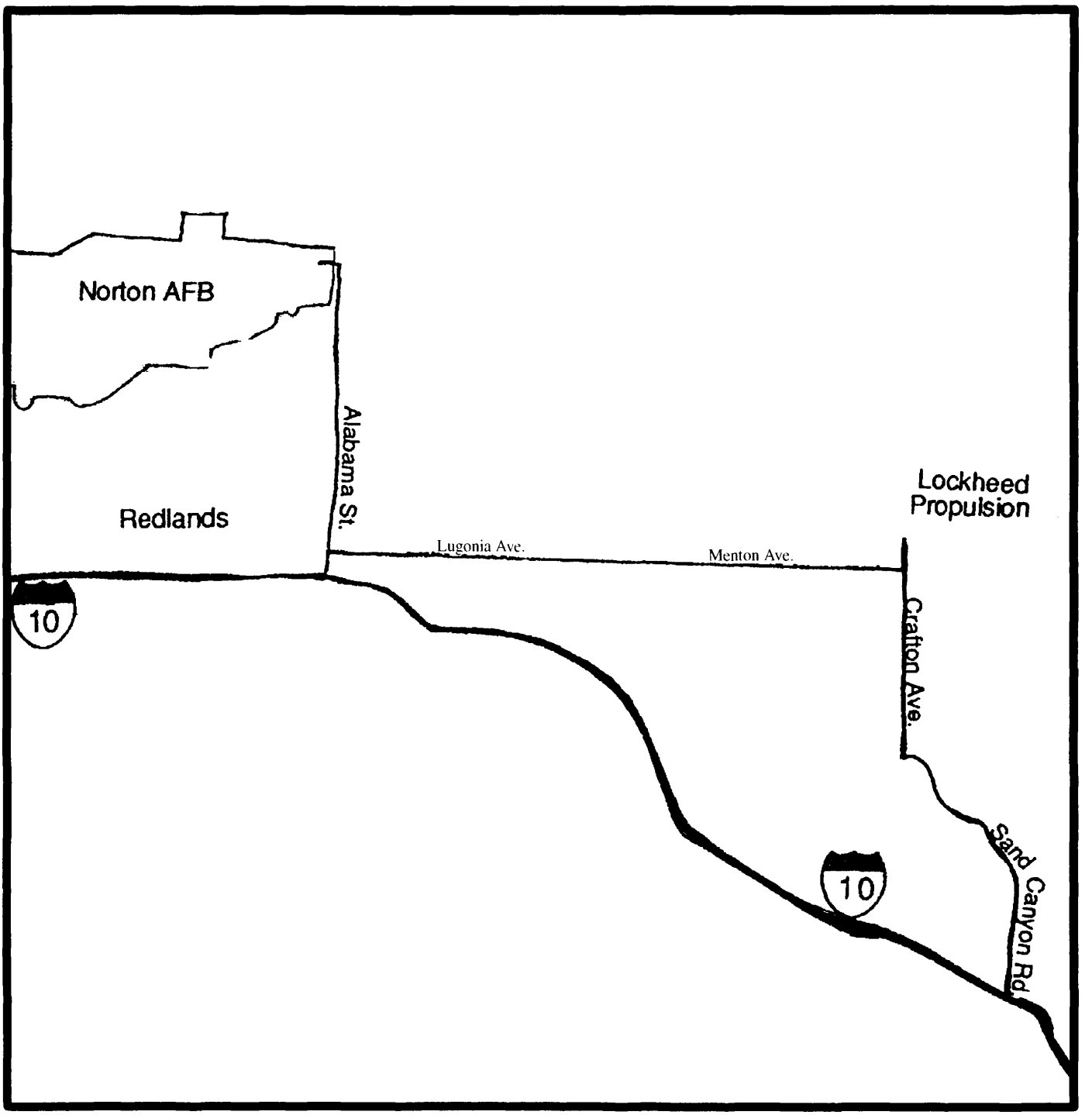
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).
2. Amendment of subsections (b)(1)(A)–(B) and (b)(2)(A)–(B) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Amendment of subsection (b)(1)(B) filed 12–10–96; operative 12–10–96 pursuant to Vehicle Code section 31616 (Register 96, No. 50).
4. New subsection (b)(1)(C) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1152.4.2. Routes and Stops—Map 14B.

(a) Map 14B.



(b) Safe Stopping Places and Inspection Stops—Map 14B. There are no designated stopping places or inspection stops in the area encompassed by Map 14B.

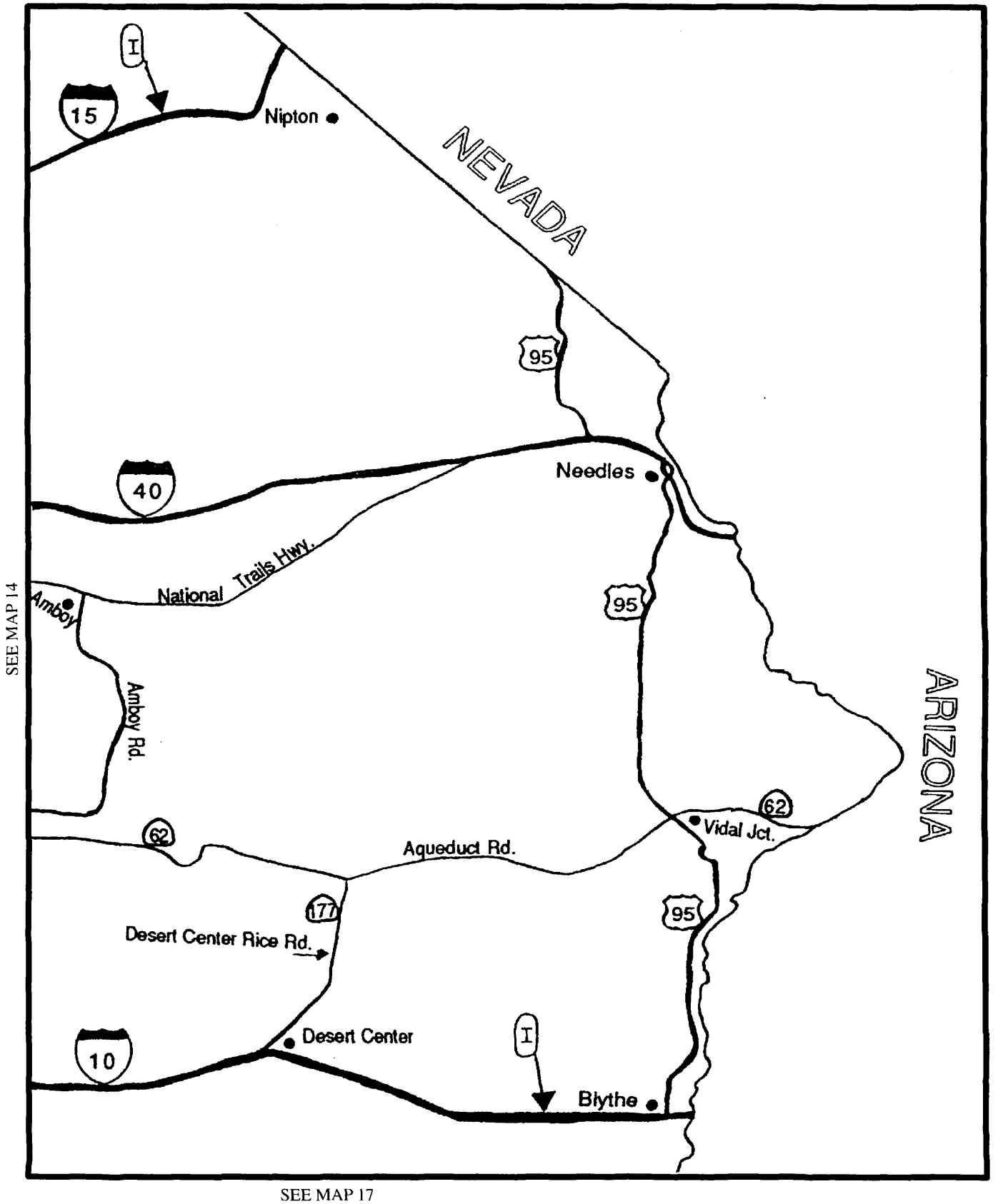
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).

§ 13–1152.5. Routes and Stops—Map 15.

(a) Map 15.



R = REQUIRED INSPECTION STOP I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 15.

(1) INTERSTATE HIGHWAY 10.

(A) INSPECTION STOP (westbound vehicles): State of California platform scales, 8 miles west of Blythe.

(B) Desert Center: Texaco Station and Desert Center Cafe, 44321 Ragsdale Road. Food, gasoline: 24 hours. Take Desert Center exit from I–10, proceed to Frontage Road.

(C) Blythe: Blythe Unocal 76/Truck Terminal. Food, gasoline, diesel, wash rack, repairs: 24 hours. Take Mesa Verda Drive exit from I–10.

(2) INTERSTATE HIGHWAY 15.

(A) INSPECTION STOP: Cima Rest Area, 24 miles west of Nevada State Line. Restrooms and water.

(B) Nipton: Halloran Springs Service Station and Restaurant. Food, gasoline, diesel: 24 hours. Take Halloran Springs Road exit from I–15; 18 miles north of Baker.

(3) U.S. HIGHWAY 95.

(A) Vidal Junction: Vidal Junction Cafe and Texaco Station, US–95 at SR–62. Food, gasoline: 0800–1600.

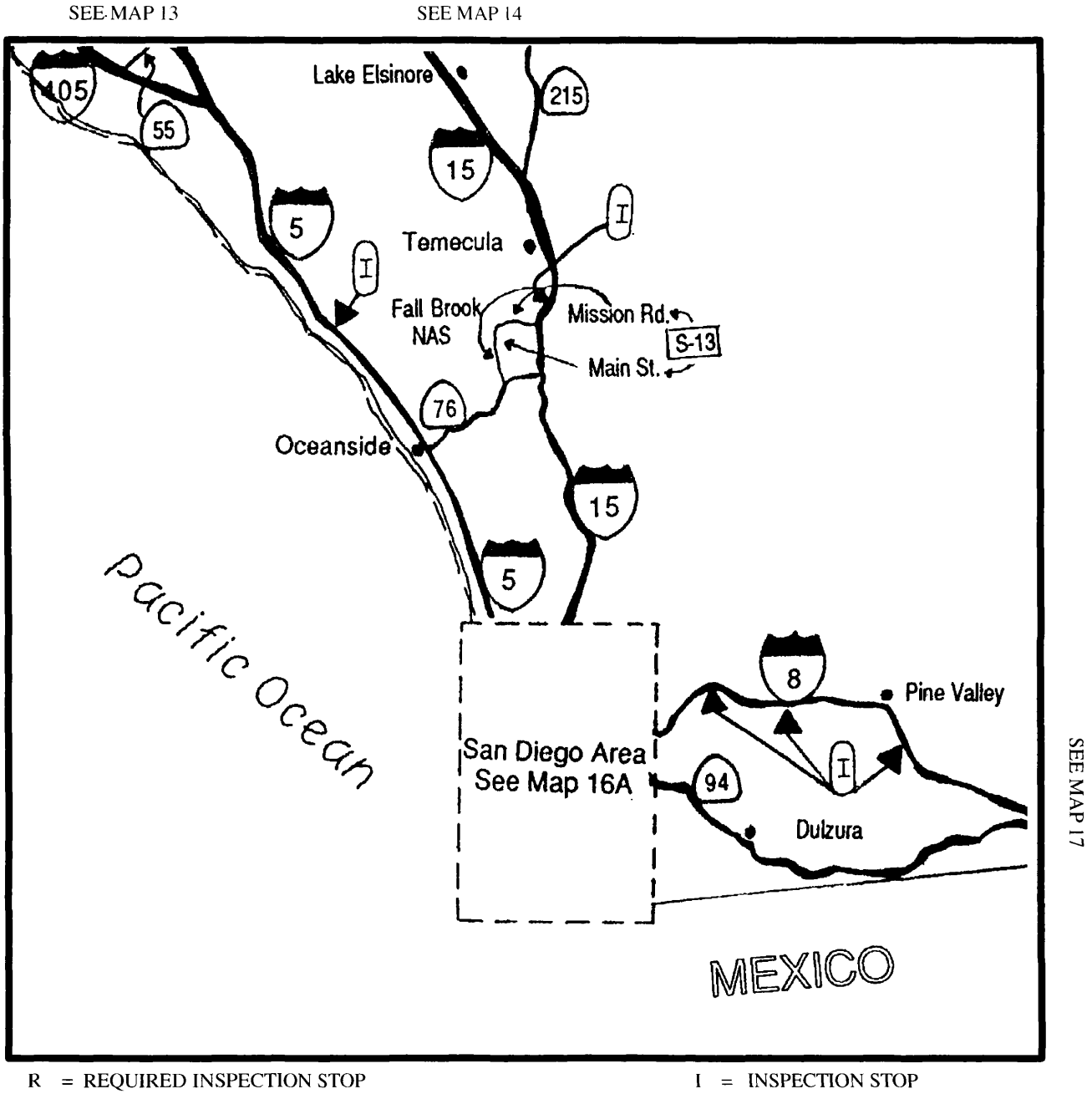
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 88, No. 26.
2. Amendment of subsections (b)(1)(B)–(C), (b)(2)(B) and (b)(3)(A) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).

§ 13–1152.6. Routes and Stops—Map 16.

(a) Map 16.



R = REQUIRED INSPECTION STOP I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 16.

(1) INTERSTATE HIGHWAY 5.

(A) INSPECTION STOP (north and southbound vehicles): State of California commercial vehicle inspection and scale facility, 15 miles north of Oceanside.

(2) INTERSTATE HIGHWAY 8.

(A) INSPECTION STOP (westbound vehicles): 2 miles west of Dunbar Lane. Telephone only.

(B) INSPECTION STOP (eastbound vehicles): Viewpoint on I–8 at Milepost 35.50, 6 miles east of Alpine.

(C) INSPECTION STOP (eastbound and westbound vehicles): Rest area at Milepost 49.00. Telephone and restroom available.

(D) REQUIRED INSPECTION STOP (eastbound vehicles) Brake check area at milepost 76.50.

(E) Pine Valley: Major's Coffee Shop, Old Highway 80. Food: 0600–2000. Located 0.7 mile north of I–8 on Old US–80. Park in rear.

(3) INTERSTATE HIGHWAY 15.

(A) INSPECTION STOP (southbound and northbound vehicles): State of California Scale and Inspection Facility, 5 miles south of Temecula at Rainbow Valley off–ramp. No services available.

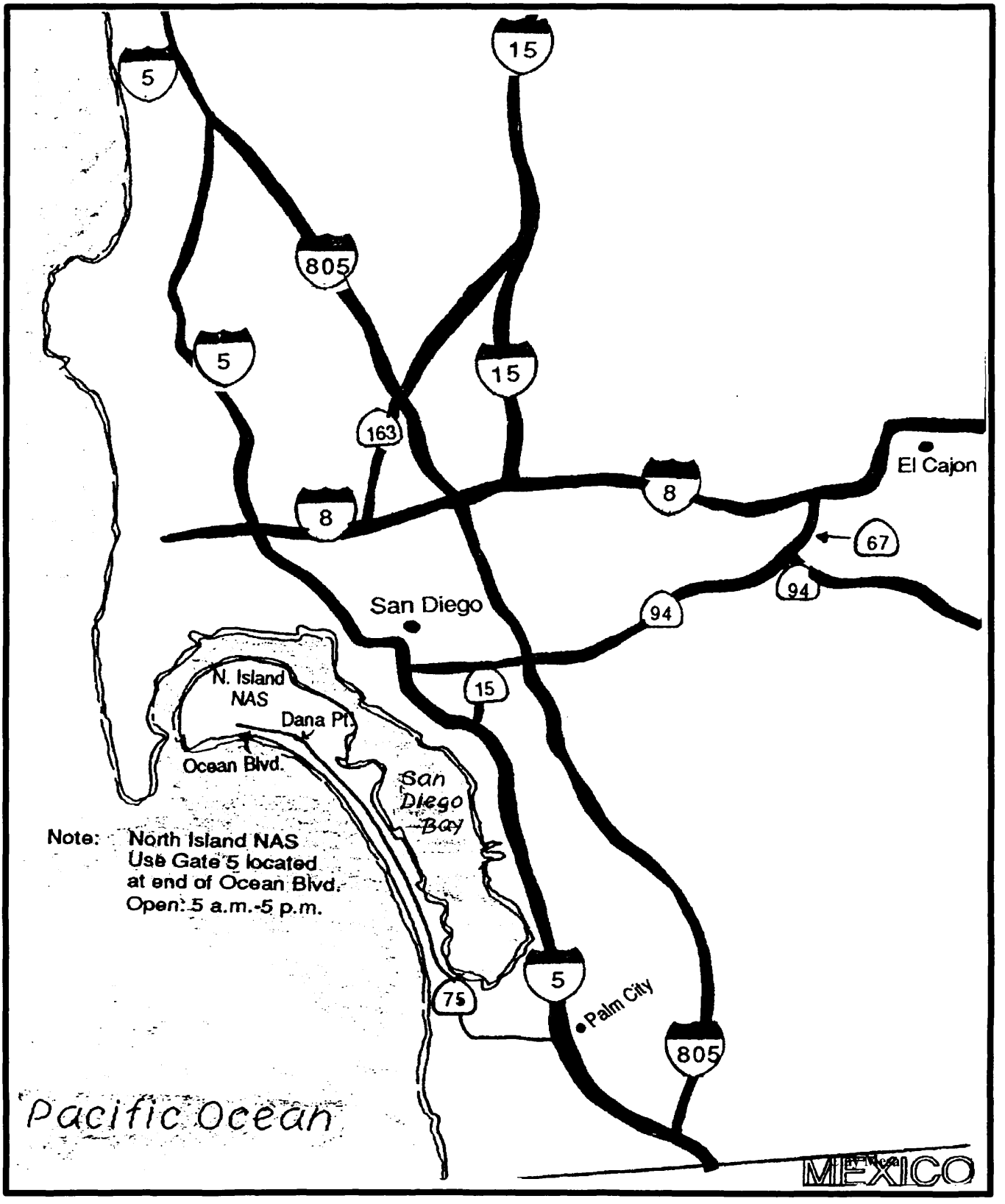
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 89, No. 5.
2. Amendment of subsections (b)(2)(A) and (D) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Amendment of subsection (b)(2)(B), new subsection (b)(2)(D) and subsection relettering filed 12–10–96; operative 12–10–96 pursuant to Vehicle Code section 31616 (Register 96, No. 50).
5. Amendment of subsection (b)(2)(C) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1152.6.1. Routes and Stops—Map 16A.

(a) Map 16A.



(b) Safe Stopping Places and Inspection Stops—Map 16A. There are no designated stopping places or inspection stops in the area encompassed by Map 16A.

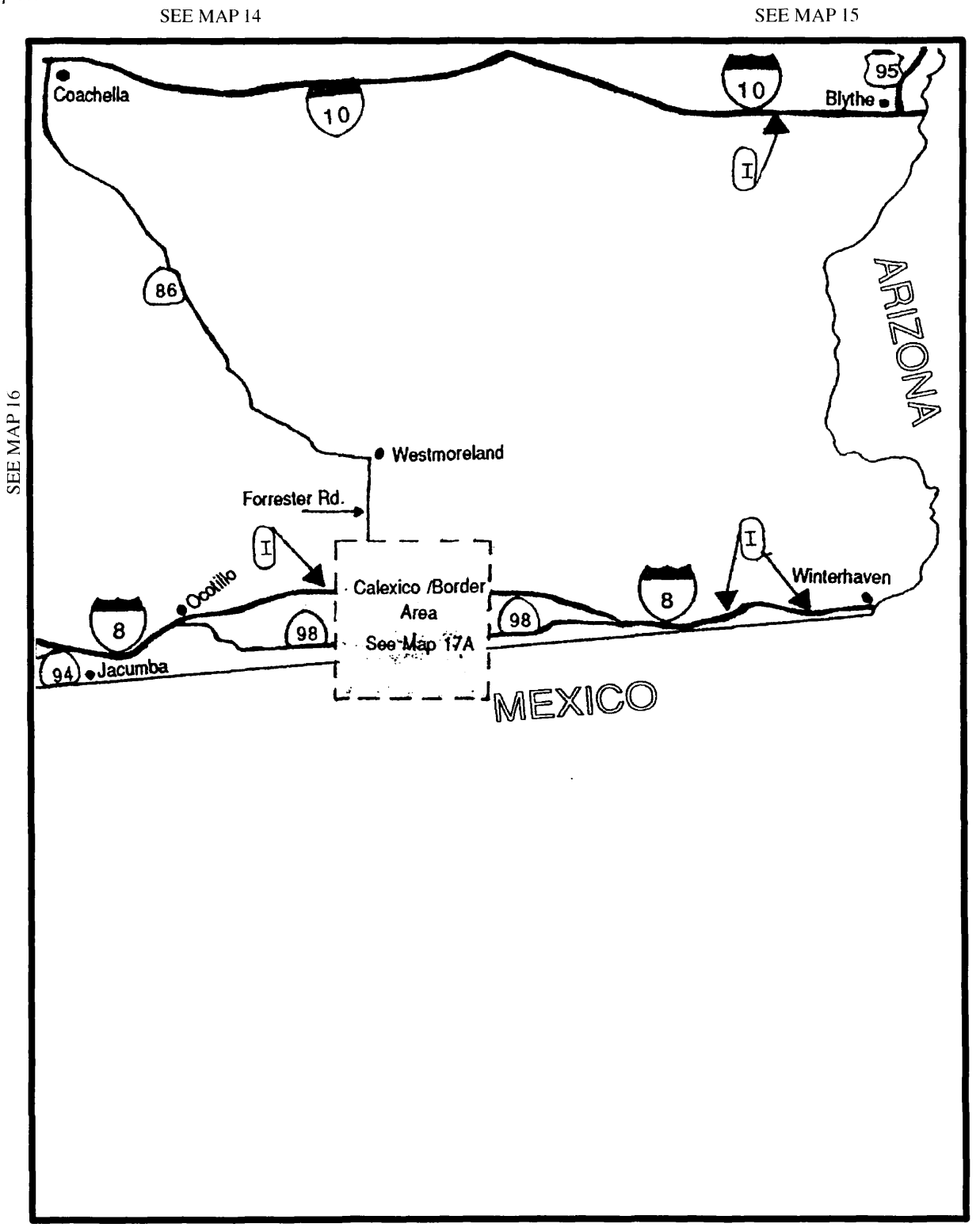
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).

§ 13–1152.7. Routes and Stops—Map 17.

(a) Map 17.



R = REQUIRED INSPECTION STOP I = INSPECTION STOP

(b) Safe Stopping Places and Inspection Stops—Map 17.

(1) INTERSTATE HIGHWAY 8

(A) INSPECTION STOP (east and westbound vehicles): Rest area, 8 miles west of El Centro.

(B) INSPECTION STOP (east and westbound vehicles): Rest area, 20 miles west of Winterhaven.

(C) INSPECTION STOP (westbound vehicles): State of California platform scales, Sidewinder, 8 miles west of Winterhaven.

(D) Ocotillo: Desert Fuel Stop. Gasoline, diesel: 0600–2200. Food: 0600–2100. Park on north side of highway.

(E) Jacumba: Woodward's Shell Station. Food at mini-mart, gasoline: 24 hours. Take Carrizo Gorge exit from I–8. Park off roadway behind stations.

(2) INTERSTATE HIGHWAY 10.

(A) INSPECTION STOP (westbound vehicles): State of California platform scales, 8 miles west of Blythe.

(B) Blythe: Blythe Unocal 76/Truck Terminal. Food, gasoline, diesel, wash rack, repairs: 24 hours. Take Mesa Verda Drive exit from I–10.

(3) STATE HIGHWAY 94

(A) Barrett Junction: Barrett Junction Café & Mercantile, 1020 Barrett Lake Road. Food: 1100–2000 (Tuesday–Friday), 0900–2100 (Saturday and Sunday), Closed Mondays. Located at SR–94 and Barrett Lake Road.

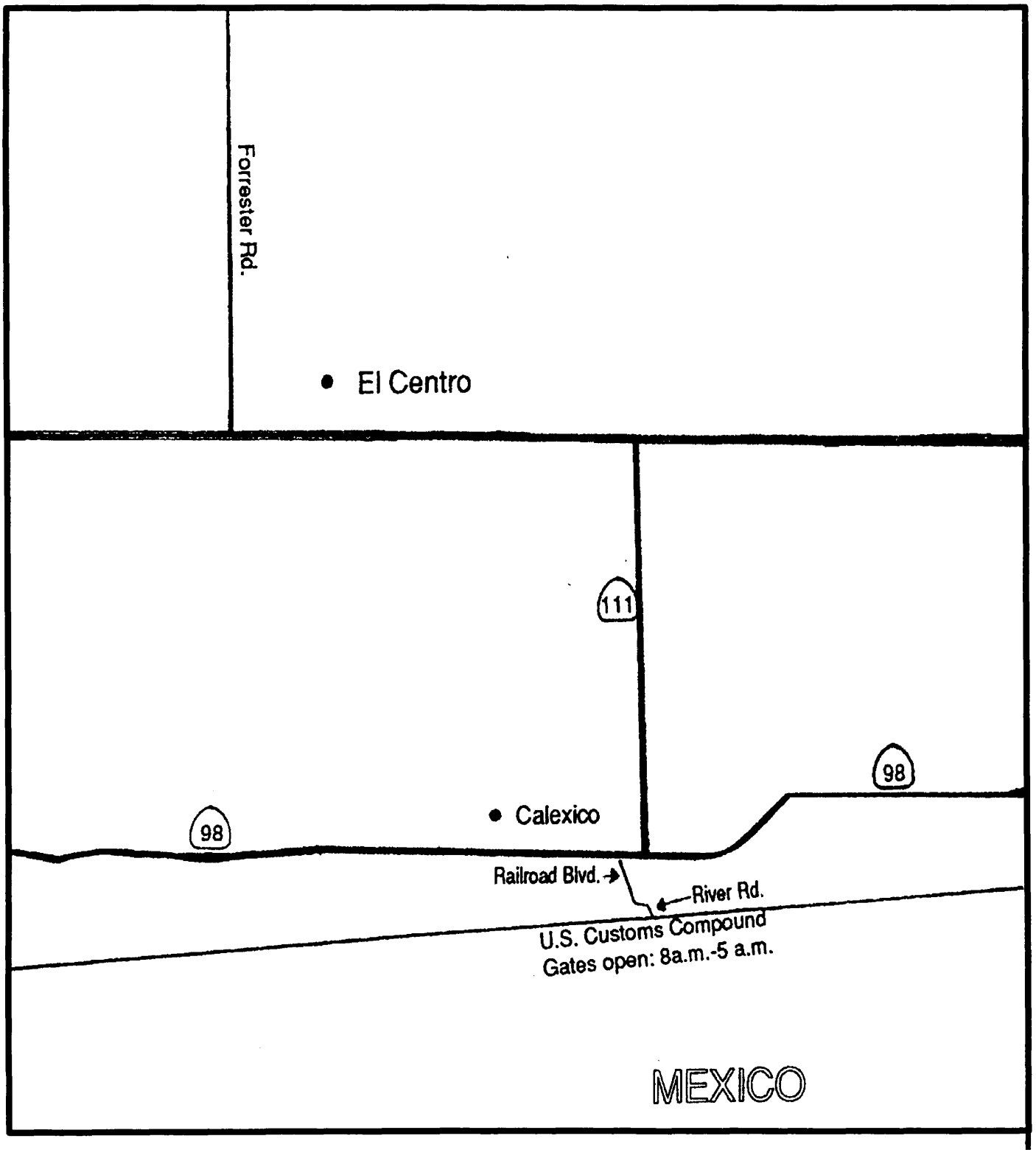
NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 90, No. 30.
2. Amendment of subsection (b)(1)(D), repealer of subsection (b)(1)(E) and subsection amendment and redesignation, and amendment of subsections (b)(2)(B) and (b)(3)(A) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. Editorial correction of HISTORY (Register 94, No. 42).
4. Amendment of subsection (b)(3)(A) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1152.7.1. Routes and Stops—Map 17A.

(a) Map 17A.



(b) Safe Stopping Places and Inspection Stops—Map 17A.

(1) INTERSTATE HIGHWAY 8

(A) El Centro: Pressley's Peterbilt, I–8 at Dogwood Road. Repairs: 0800–1700. 24 hour road service call (619) 353–1820.

(B) El Centro: Country Kitchen Restaurant, 379 East Ross. Food: 0600–2200. Located on SR–111, 0.5 mile north of I–8.

(C) El Centro: Imperial Eight Truck Plaza, I–8 at SR–86. Gasoline, diesel, propane, food, showers, store, laundry, public scale. No repairs. 24 hours. (619) 352–8800.

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–28–92; operative 10–28–92 (Register 92, No. 44).
2. Amendment of subsections (b)(1)(A) and (B) filed 10–17–94; operative 11–16–94 (Register 94, No. 42).
3. New subsection (b)(1)(C) filed 12–10–96; operative 12–10–96 pursuant to Vehicle Code section 31616 (Register 96, No. 50).

§ 13–1152.8. Safe Parking Places.

Use of safe parking places shall be governed by the following:

(a) General. Only vehicles authorized by the owners of safe parking places shall be permitted access to such locations. In addition, except for State of California platform scales, use of safe parking places may be subject to safety requirements and restrictions imposed by local fire officials.

(b) Locations: Only the following terminals and locations may be used as safe parking places:

Bloomington: Roadway Express, Inc., 17630 Valley Boulevard.

Bloomington: Tri–State Motor Transit, 264 Jurupa Avenue

Byron: Diablo Transportation, Inc., 5401 Byron Hot Springs Road.

Calwa: Santa Fe Trail Transportation Co., Calwa Santa Fe Yards.

Fresno: ABF (Arkansas Best Freight) Systems, Inc., 330 S. Teilman Avenue.

Fresno: Roadway Express, 2440 Church Avenue.

Lakeside: M. J. Baxter Drilling Co., 12485 Highway 67.

Long Beach: McDonnell Douglas Corp., 3855 Lakewood Boulevard.

Manteca: ABF (Arkansas Best Freight) Systems, Inc. W. Yosemite Avenue and Swanson Road.

Milpitas: Doudell Trucking Co., 555 E. Capitol Avenue.

Pico Rivera: ABF (Arkansas Best Freight) Systems, Inc., 8001 Telegraph Road.

Plymouth: E.I. duPont de Nemours & Co., Inc. c/o King Explosives, Inc., (north of Highway 16, at Forest Home Road.)

Sacramento: Applegate Drayage, 325 North 5th Street.

Sacramento: ABF (Arkansas Best Freight) Systems, Inc., 3250 47th Avenue.

Suisun: Baggett Transportation Co., 3809 Bithell Lane.

Suisun: Tri–State Trucking, 3841 Bithell Lane.

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. New section filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.
2. Amendment of subsection (b) filed 12–10–96; operative 12–10–96 pursuant to Vehicle Code section 31616 (Register 96, No. 50).
3. Amendment of subsection (b) filed 12–23–2004; operative 1–22–2005 (Register 2004, No. 52).

§ 13–1152.9. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1152.10. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1152.11. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1152.12. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1152.13. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153.1. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153.2. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153.3. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153.4. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153.5. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153.6. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153.7. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153.8. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153.9. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153.10. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153.11. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1153.12. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Reservation of section number filed 10–17–94; operative 11–16–94 (Register 94, No. 42). For prior history, see Register 92, No. 44.

§ 13–1154. [Reserved].

NOTE: Authority cited: Section 31616, Vehicle Code. Reference: Sections 31601, 31602, 31607, 31611, 31614 and 31616, Vehicle Code.

HISTORY

1. Repealer and new section filed 10–28–92; operative 10–28–92 (Register 92, No. 44). For prior history, see Register 92, No. 12.
2. Repealer filed 10–17–94; operative 11–16–94 (Register 94, No. 42).

§ 13–1155. Application of Article.

NOTE: Authority cited: Sections 32102 and 32108, Vehicle Code. Reference: Sections 32102, 32107 and 32108, Vehicle Code.

HISTORY

1. New article 1.3 (sections 1155–1157.1) filed 12–21–77 as an emergency; designated effective 1–1–78. Certificate of Compliance included (Register 77, No. 52).
2. Renumbering of article 1.3 (sections 1155–1157.1) to article 2 (sections 1155–1157.1) filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28). For history of former article 2, see Register 78, No. 33.
3. Repealer filed 6–22–83; effective thirtieth day thereafter (Register 83, No. 26).
4. New section filed 11–25–91; operative 3–24–91 (Register 92, No. 8).
5. Change without regulatory effect repealing section filed 11–16–94 pursuant to section 100, title 1, California Code of Regulations (Register 94, No. 46).

§ 13–1155.1. Definitions.

NOTE: Authority cited: Sections 32102 and 32108, Vehicle Code. Reference: Sections 32102, 32107 and 32108, Vehicle Code.

HISTORY

1. Amendment filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28).
2. Repealer filed 9–7–84; effective thirtieth day thereafter (Register 84, No. 36).
3. New section filed 11–25–91; operative 3–24–91 (Register 92, No. 8).
4. Change without regulatory effect repealing section filed 11–16–94 pursuant to section 100, title 1, California Code of Regulations (Register 94, No. 46).

§ 13–1155.3. Escort Vehicle Equipment.

NOTE: Authority cited: Sections 32102 and 32108, Vehicle Code. Reference: Sections 32102, 32107 and 32108, Vehicle Code.

HISTORY

1. Repealer filed 9–7–84; effective thirtieth day thereafter (Register 84, No. 36).
2. New section filed 11–25–91; operative 3–24–91 (Register 92, No. 8).
3. Change without regulatory effect repealing section filed 11–16–94 pursuant to section 100, title 1, California Code of Regulations (Register 94, No. 46).

§ 13–1155.4. Co–driver and Drivers Hours.

NOTE: Authority cited: Sections 32102 and 32108, Vehicle Code. Reference: Sections 32102, 32107 and 32108, Vehicle Code.

HISTORY

1. Repealer filed 9–7–84; effective thirtieth day thereafter (Register 84, No. 36).
2. New section filed 11–25–91; operative 3–24–91 (Register 92, No. 8).
3. Change without regulatory effect repealing section filed 11–16–94 pursuant to section 100, title 1, California Code of Regulations (Register 94, No. 46).

§ 13–1155.6. Inhalation Hazard Transport Vehicle Equipment.

NOTE: Authority cited: Sections 32102 and 32108, Vehicle Code. Reference: Sections 32102, 32107 and 32108, Vehicle Code.

HISTORY

1. New section filed 11–25–91; operative 3–24–91 (Register 92, No. 8).
2. Change without regulatory effect repealing section filed 11–16–94 pursuant to section 100, title 1, California Code of Regulations (Register 94, No. 46).

§ 13–1155.8. Escort Procedures.

NOTE: Authority cited: Sections 32102 and 32108, Vehicle Code. Reference: Sections 32102, 32107 and 32108, Vehicle Code.

HISTORY

1. New section filed 11–25–91; operative 3–24–91 (Register 92, No. 8).
2. Change without regulatory effect repealing section filed 11–16–94 pursuant to section 100, title 1, California Code of Regulations (Register 94, No. 46).

§ 13–1160. Application.

This article shall apply to the transportation of hazardous materials in vehicles listed in Vehicle Code Section 34500 and in any other vehicle for which the display of placards is required pursuant to Vehicle Code Section 27903 as prescribed in Vehicle Code Section 31309.

NOTE: Authority cited: Sections 2402.7 and 34501, Vehicle Code. Reference: Sections 2402.7, 31309, 34501 and 34510, Vehicle Code.

HISTORY

1. Repealer of Article 1.5 (Sections 1160–1167, not consecutive) and new Article 1.5 (Sections 1160–1167, not consecutive) filed 2–18–77 as an emergency; effective upon filing. Certificate of Compliance included (Register 77, No. 8). For prior history, see Registers 73, No. 43 and 76, No. 9.
2. Renumbering of Article 1.5 (Sections 1160–1167, not consecutive) to Article 3 (Sections 1160–1167, not consecutive) filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28). For history of former Article 3, see Register 78, No. 33.
3. Amendment filed 6–22–83; effective thirtieth day thereafter (Register 83, No. 26).
4. Amendment of Article 3 heading, designation and amendment of subsection (a), new subsections (b)–(d) and amendment of NOTE filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
5. Repealer of subsection designations and former subsections (b), (c) and (d) filed 8–14–96; operative 9–13–96 (Register 96, No. 33).

§ 13–1160.1. Exceptions and Special Applications.

(a) Application to Shippers. Shippers are subject to all provisions of this article except Sections 1160.4(g), 1162.1, 1166 and 1167, and are subject to Section 1164 only when loading or directing the loading of any vehicle.

(b) Application to Non–commercial Transportation. Except for subsection (d), the exceptions contained in this section shall only apply to the transportation of hazardous materials by carriers when not directly subject to federal jurisdiction pursuant to 49 CFR Part 171 (i.e., transporting hazardous materials in intrastate, interstate or foreign commerce [transported for a fee or used for commercial purposes]).

(c) Alternative Exceptions for Non–commercial Carriers. Private carriers transporting hazardous materials for non–commercial purposes (i.e., transporting hazardous materials for personal use or by a federal, state or local government agency) may utilize the exceptions contained in subsections (e) through (m) of this section or the exceptions contained in either 49 CFR 173.6 or 49 CFR 173.8(c), but not both the exceptions in subdivisions (e) through (m) and the referenced 49 CFR exceptions at one time on the same vehicle or combination of vehicles.

(d) Liquefied Petroleum Gas. Except as provided in Sections 1160.4(g), 1160.5, 1161, 1161.3, 1161.6, 1161.7, 1162, 1163(d), 1166, and 1167, this article shall not apply to the transportation of liquefied petroleum gas in cargo tanks subject to regulations of the Division of Occupational Safety and Health, Department of Industrial Relations contained in Title 8, California Code of Regulations, Chapter 4, Subchapter 1 (Unfired Pressure Vessel Safety Orders), but it shall apply to liquefied petroleum gas transported in cylinders and portable tanks.

(e) Incidentally Transported Materials. This article shall not apply to the transportation of the following:

(1) Batteries in vehicle or auxiliary equipment ignition or lighting systems.

(2) Flammable compressed gases or flammable and/or combustible liquids used exclusively in vehicle or auxiliary equipment fuel, heating, refrigeration, or cooking systems.

(3) Batteries, compressed air in cylinders or tanks not exceeding 200 psi, inflated tires or less than 10 gallons of flammable liquid fuels on tow trucks or similar roadside service or repair vehicles or otherwise transported in private (not for–hire) carriage. Containers used to transport flammable liquids under this subsection shall not exceed 5 gallons capacity each, and shall be constructed and maintained in conformance with a nationally recognized fuel storage and dispensing standard for the fuel being transported (e.g., U.S. Department of Transportation (DOT), United Nations (UN), National Fire Protection Association (NFPA), American National Standards Institute (ANSI), American Society for Testing and Materials (ASTM), Underwriter Laboratories (UL), Factory Mutual (FM), or U.S. Department of Defense (military) specifications (U.S. Mil. Spec.).

(4) Highway fusees, and liquid–burning emergency flares and/or red electric lanterns that conform to 49 CFR 393.95(f)(1), being transported expressly for highway warning purposes or as authorized for use pursuant to Vehicle Code Section 25301, unless otherwise prohibited by this Division or the Vehicle Code. This exception does not apply to broken fusees or fusees with missing protective caps.

(5) Fire extinguishers being transported expressly for in–transit emergency fire suppression purposes.

(6) Flammable or combustible distillate fuels transported in a single compartmentalized or noncompartmentalized metal cargo tank of 450 liters (119 gallons) or less total volumetric capacity, or both flammable and combustible distillate fuels transported in a single compartmentalized metal cargo tank of 450 liters (119 gallons) or less total volumetric capacity, by a private carrier and used to service other vehicles or equipment. The tank shall be in compliance with 49 CFR 173.24(b), and the tank, its components, and attached equipment must be secured to the vehicle and protected from damage or leakage of the lading should the vehicle overturn.

(f) Consumer Commodity Exception. The outside packaging and marking exception contained in 49 CFR 173.156 for hazardous materials authorized to be renamed "Consumer commodity" and reclassified ORM–D is extended to transportation by a private carrier from either a distribution center or retail outlet, or subsequent transportation for incidental use.

(g) Shipping Paper Exception. Section 1161, pertaining to shipping papers, shall not apply to a private carrier transporting any one of the following:

(1) Not more than 227 kilograms (500 pounds) aggregate gross weight (including the packaging) of hazardous materials other than:

(A) Any materials listed in 49 CFR 172.504(a), Table I, or

(B) Any materials for which an INFECTIOUS SUBSTANCE, KEEP AWAY FROM FOOD, ORGANIC PEROXIDE, SPONTANEOUSLY COMBUSTIBLE, POISON or RADIOACTIVE label is required, or

(C) Any materials which require a Uniform Hazardous Waste Manifest pursuant to Section 25160 of the Health and Safety Code.

(2) Anhydrous ammonia in a single cargo tank of not more than 4,524 liters (1,200 gallons) capacity transported not more than 30 miles from the filling point or in a trailer–mounted cargo tank in compliance with Section 1163(f)(1) of this article.

(3) Not more than 1 cylinder each of argon, oxygen, carbon dioxide, acetylene, helium, or nitrogen if the gross weight is less than 454 kilograms (1,001 pounds), provided containers and labeling comply with Sections 1161.2 and 1163 of this article.

(h) Storage Tanks. Storage tanks used only for off–highway storage and dispensing of flammable and/or combustible distillate fuels and which contain only residue are excepted from specified provisions of this article as indicated below, when transported in accordance with the following:

(1) Except for subsection (d), Section 1163 shall not apply to portable or stationary above ground storage tanks when in conformance with 49 CFR 173.24(b).

(2) Except for Section 1163(d), this article shall not apply to underground storage tanks when prepared for shipment in accordance with American Petroleum Institute Recommended Practice 1604, Second Edition, December 1987. (This publication may be obtained from the American Petroleum Institute, 1220 L Street, Northwest, Washington D.C. 20005.)

(3) For purposes of this subsection, "residue" means the material remaining after the tank has been unloaded to the maximum extent practicable via the normal discharge opening. In no event shall the tank contain more than 454 liters (120 gallons) of any liquid.

(4) Storage tanks shall not be transported on the same vehicle with any other hazardous materials.

(i) Traffic Paint Applicator. Traffic paint applicator systems containing flammable paint are excepted from the provisions of Section 1163, except subsection (d), when in conformance with 49 CFR 173.24(b).

(j) Mobile Meter Calibration Units. Mobile meter calibration units containing flammable distillate fuel residue or liquefied petroleum gas residue are excepted from the provisions of Section 1163, except subsection (d), when in conformance with 49 CFR 173.24(b) and emptied to the maximum extent practicable via the normal discharge opening.

(k) Self Contained Breathing Apparatus. Compressed air breathing apparatus transported solely for in–transit emergencies or for the safety of persons conducting loading or unloading operations are not subject to this article, except Sections 1161.2, 1161.3 and 1163, when the compressed gas cylinders are mounted or otherwise secured to the vehicle during transit to prevent sliding, falling, tipping, rolling, or damage to the valving should the vehicle overturn.

(*l*) Breathing Air Recharge Units. Air cylinders or tanks operating under a Division of Occupational Safety and Health, Department of Industrial Relations operating permit and used to fill/recharge breathing air cylinders are not subject to Section 1163, except subsection (d), when in conformance with 49 CFR 173.24(b).

(m) Emergency Response Information. Section 1161.6 shall only apply to hazardous materials shipments for which the display of placards is required and/or for which an INFECTIOUS SUBSTANCE, KEEP AWAY FROM FOOD, ORGANIC PEROXIDE, SPONTANEOUSLY COMBUSTIBLE, POISON or RADIOACTIVE label is required pursuant to this article; and to shipments that would have otherwise been required to be placarded and/or labeled, notwithstanding compliance with an applicable U.S. Department of Transportation placarding and/or labeling exemption issued pursuant to 49 CFR Part 107, Subpart B.

NOTE: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY

1. Amendment filed 12–21–77 as an emergency; designated effective 1–1–78. Certificate of Compliance included (Register 77, No. 52).
2. New subsections (h) and (i) filed 1–20–78 as an emergency; effective upon filing (Register 78, No. 3).
3. Certificate of Compliance filed 3–21–78 (Register 78, No. 12).
4. Amendment of subsections (b), (c) and (d) filed 11–27–79; designated effective 1–1–80 (Register 79, No. 48).
5. Amendment filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28).
6. Amendment of subsection (e) filed 11–5–81; effective thirtieth day thereafter (Register 81, No. 45).
7. Amendment of subsections (b), (d)(2) and (3) and (f)(1) filed 2–22–82; effective thirtieth day thereafter (Register 82, No. 9).
8. Amendment of subsections (a)–(c) filed 7–27–82; effective thirtieth day thereafter (Register 82, No. 31).
9. Amendment filed 6–22–83; effective thirtieth day thereafter (Register 83, No. 26).
10. Amendment filed 9–7–84; effective thirtieth day thereafter (Register 84, No. 36).
11. Editorial correction of subsection (d) (Register 84, No. 46).
12. Amendment filed 7–20–87; operative 8–19–87 (Register 87, No. 30).
13. Amendment of subsection (c)(2) and new subsections (g)-(i) filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
14. New subsection (j) filed 9–27–90; operative 10–27–90 (Register 90, No. 45).

15. Editorial correction of printing errors in subsections (e)(3) and (i) (Register 92, No. 12).
16. Amendment filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
17. New subsection (k) filed 7–31–95; operative 8–30–95 (Register 95, No. 31).
18. Amendment of subsections (b) and (c)(3), repealer of subsection (e)(1)(C) and subsection relettering filed 8–14–96; operative 9–13–96 (Register 96, No. 33).
19. New subsections (b) and (c), subsection relettering, amendment of newly designated subsections (d)(3), and (i)–(m) and repealer of newly designated subsection (*l*) filed 10–26–98 as an emergency; operative 11–25–98 (Register 98, No. 44).
20. Amendment of subsections (b), (e)(4)–(5), (f), (g)(1) and (m) filed 10–5–99; operative 11–4–99 (Register 99, No. 41).

§ 13–1160.2. U.S. Department of Transportation Regulations.

(a) Incorporation by Reference. This article incorporates by reference portions of 49 CFR Part 107, Parts 171 through 180, and Part 393 to the extent specified in this article. Unless otherwise specified, all references to 49 CFR in this article are those regulations published on October 1, 1999.

(b) Federal Preeminence. Provisions of the Hazardous Materials Transportation Act recodified into Title 49 U.S. Code (49 U.S.C.) Section 5125, preempt any requirements of any state or political subdivision thereof inconsistent with the act or federal Hazardous Material Regulations relating to hazardous materials transported in commerce. The U.S. Department of Transportation (DOT), Research and Special Programs Administration (RSPA) may except any material from being classed as hazardous, or change any classification or transportation requirement in accordance with authority granted that agency, and such action shall govern the application of this article. In lieu of compliance with the provisions of this article, hazardous materials shipment preparation and transportation in compliance with a later promulgated RSPA requirement, exemption or exception than that adopted by reference in this article is permitted. This includes compliance with a later promulgated requirement prior to its effective date during any period of time where earlier compliance is authorized in the applicable final rulemaking.

(c) Limited Applications. 49 CFR Parts 174 and 179 shall apply only as referenced in 49 CFR Parts 173, 177, and 178.

(d) Motor Carrier Safety Requirements. Provisions of 49 CFR Part 393 applies as incorporated in cargo tank specifications referenced in 49 CFR Part 178, but 49 CFR Parts 390 through 397 shall not otherwise apply to transportation subject to this article.

(e) Referenced Regulations. Copies of 49 CFR, can be obtained from:

SUPERINTENDENT OF DOCUMENTS
U.S. GOVERNMENT PRINTING OFFICE
PO BOX 371954
PITTSBURG, PA 15250–7954
(202) 512–1800

Internet purchases: http://www.access.gpo.gov/su_docs/sale.html

Copies of 49 CFR Part 107 and Parts 171 through 180 may also be obtained from:

BUREAU OF EXPLOSIVES PUBLICATIONS
PO BOX 866
ANNAPOLIS, MD 21404–0688
(412) 741–1096

Copies of 49 CFR Part 107, Parts 171 through 180, and Parts 390 through 397 may also be obtained from:

AMERICAN TRUCKING ASSOCIATIONS, INC.
SAFETY DEPARTMENT
2200 MILL ROAD
ALEXANDRIA, VA 22314–4677
(800) 282–5463 OR (703) 838–1847

Internet Access. Title 49 CFR may also be accessed through the internet at the National Archives and Records Administration's web site at "http://www.access.gpo.gov/nara/cfr/" or through the U.S. Department of Transportation, Office of Hazardous Materials Safety's web site at "http://hazmat.dot.gov/".

NOTE: Authority cited: Sections 2402.7 and 34501, Vehicle Code. Reference: Sections 2402.7 and 34501, Vehicle Code.

HISTORY

1. Amendment filed 12–21–77 as an emergency; designated effective 1–1–78. Certificate of Compliance included (Register 77, No. 52).
2. Amendment filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28).
3. Amendment filed 9–7–84; effective thirtieth day thereafter (Register 84, No. 36).
4. Amendment filed 7–20–87; operative 8–19–87 (Register 87, No. 30).
5. Amendment of subsection (a) filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
6. Amendment of subsection (a) filed 9–27–90; operative 10–27–90 (Register 90, No. 45).
7. Amendment of subsections (a)–(b) and (d)–(e) filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
8. Amendment of subsections (a) and (b) filed 8–14–96; operative 9–13–96 (Register 96, No. 33).
9. Amendment of subsection (a) filed 8–20–97; operative 9–19–97 (Register 97, No. 34).
10. Amendment of subsections (a), (b) and (e) filed 10–26–98 as an emergency; operative 11–25–98 (Register 98, No. 44).
11. Editorial correction of last paragraph (Register 98, No. 49).
12. Amendment filed 10–5–99; operative 11–4–99 (Register 99, No. 41).
13. Amendment of subsection (a) 11–8–2000; operative 12–8–2000 (Register 2000, No. 45).

§ 13–1160.3. Definitions.

(a) The meanings of terms contained in this article and not defined in this article are the same as those contained in 49 CFR 171.8.

(b) "Carrier" means any person who transports hazardous materials subject to this article.

(c) "Department" means Department of the California Highway Patrol.

(d) "Hazardous material" means a substance or material, which has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and which has been so designated. The term includes hazardous substances, hazardous wastes, marine pollutants, and elevated temperature materials as defined in 49 CFR 171.8, materials designated as hazardous under the provisions of 49 CFR Sections 172.101 and 172.102, and materials that meet the defining criteria for hazard classes and divisions in 49 CFR Part 173.

(e) "Private carrier" means any carrier who transports cargo for use in his/her occupation or for other purpose without reward or compensation.

(f) "Shipper" means any person who prepares or offers hazardous materials for transportation. A shipper who also transports its own material is both a shipper and a carrier.

NOTE: Authority cited: Sections 2402.7 and 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY

1. Amendment filed 12–21–77 as an emergency; designated effective 1–1–78. Certificate of Compliance included (Register 77, No. 52).
2. Amendment of subsection (j) filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28).
3. Amendment filed 6–22–83; effective thirtieth day thereafter (Register 83, No. 26).
4. Amendment of subsections (f) and (k) filed 7–20–87; operative 8–19–87 (Register 87, No. 30).
5. Amendment filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
6. Amendment of subsection (e) and NOTE filed 10–5–99; operative 11–4–99 (Register 99, No. 41).
7. Repealer of subsection (d), subsection relettering and new subsection (e) filed 11–8–2000; operative 12–8–2000 (Register 2000, No. 45).

§ 13–1160.4. General Provisions.

(a) Applicability. Shippers shall not offer and carriers shall not transport any shipment of a hazardous material not prepared for transportation in accordance with this Article.

(b) References to Statutes and Regulations. Any reference to provisions of these regulations or to statutes shall apply to all amendments and additions made to such regulatory or statutory provisions.

(c) Alternate Method of Compliance. Upon a finding that an alternate method of compliance provides protection to the public equal to or exceeding that afforded by compliance with provisions of this article, the department may authorize use of such alternate method subject to the following:

(1) Any alternate method of compliance shall be permitted only after application has been made to and written authorization obtained from the department.

(2) Written authorization shall be carried in each transporting vehicle or combination.

(3) No authorization for an alternate method of compliance shall be accorded any highway carrier subject to federal jurisdiction, nor shall such authorization apply to the preparation of hazardous materials for interstate transportation.

(4) No authorization for an alternate method of compliance shall be granted when a special permit or exemption has been issued by the U.S. Department of Transportation, Associate Administrator for Hazardous Materials Safety authorizing the requested alternate method.

(d) Special Permits and Exemptions. Compliance with requirements of special permits and exemptions issued by the U.S. Department of Transportation, Associate Administrator for Hazardous Materials Safety in accordance with 49 CFR Part 107, shall be deemed in compliance with equivalent provisions of this article.

(e) Inspection by Department. Carriers and shippers shall afford duly authorized employees of the department reasonable opportunity to enter terminals and other locations to determine compliance with the provisions of this article.

(f) Unsafe Transportation Prohibited. Authorized employees of the department shall declare and mark any vehicle out–of–service when the condition, securement, preparation of lading, filling, closures, or protective devices on cylinders and tanks would be hazardous to life and property during transportation.

(1) No carrier shall require or permit any person to operate nor shall any person operate any vehicle marked out–of–service until all necessary corrections have been completed.

(2) No person shall remove any out–of–service notice from any vehicle prior to the completion of all corrections required by the notice.

(g) Hazardous Materials Transportation License.

(1) Fees. The fee for a new license is one hundred dollars ($100) and the fee for a renewal license is seventy–five dollars ($75).

(2) Original License. The original valid license shall be kept at the licensee's place of business as indicated on the license and presented to any duly authorized employee of the Department upon request.

(3) Copy in each vehicle. A legible copy shall be carried in any vehicle or combination of vehicles transporting hazardous materials and shall be presented to any traffic officer upon request.

(4) Temporary License. Carriers who have paid the license fee, may use either of the following as a temporary license for not more than 60 days when carried in the vehicle:

(A) A copy of the carrier's completed application for license to transport hazardous materials and a copy of the check or money order indicating payment of fee.

(B) A telegraphic money order receipt, or copy thereof, made payable to the California Highway Patrol, indicating payment of fee for license to transport hazardous materials.

(5) Exceptions. Federal, State, county, city, and city and county agencies, and other political subdivisions of the State including, but not limited to, school, irrigation, and fire protection districts are exempt from the licensing requirements of Vehicle Code Section 32000.5.

Internet Access. The California Highway Patrol form CHP 361M (Rev. 01–00), Application for Hazardous Materials Transportation License, instructions for completing the application and related documents are available on the Internet at http://www.chp.ca.gov/html/forms.html.

NOTE: Authority cited: Sections 32002 and 34501, Vehicle Code. Reference: Sections 2502, 32000.5, 32001 and 34501, Vehicle Code.

HISTORY

1. Amendment of subsection (e) filed 12–21–77 as an emergency; designated effective 1–1–78. Certificate of Compliance included (Register 77, No. 52).
2. Amendment of subsection (e) filed 1–20–78 as an emergency; effective upon filing (Register 78, No. 3).
3. Editorial correction to previous history note and designation of subsections (Register 78, No. 12).
4. Certificate of Compliance filed 3–21–78 (Register 78, No. 12).
5. New subsection (g) filed 2–22–82; effective thirtieth day thereafter (Register 82, No. 9).
6. Amendment filed 6–22–83; effective thirtieth day thereafter (Register 83, No. 26).
7. Repealer of subsection (g)(5) filed 9–7–84; effective thirtieth day thereafter (Register 84, No. 36).
8. Amendment of subsections (g)(3) and (g)(4) filed 7–20–87; operative 8–19–87 (Register 87, No. 30).
9. Amendment of subsection (a) filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
10. Amendment of subsection (g)(3) filed 3–10–92; operative 4–9–92 (Register 92, No. 12).
11. Amendment of subsections (c)(4), (d)(1) and (f), and repealer of subsections (d)(2)–(3) filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
12. Amendment of subsections (a) and (d) filed 10–5–99; operative 11–4–99 (Register 99, No. 41).
13. Amendment of subsections (g)(1)–(g)(4), new subsection (g)(5) and new last paragraph filed 11–8–2000; operative 12–8–2000 (Register 2000, No. 45).

§ 13–1160.5. Hazard Classification and Shipping Names.

Hazardous materials shall be classified and described (proper shipping name) in accordance with 49 CFR Parts 172 and 173.

NOTE: Authority and reference cited: Sections 2402.7 and 34501, Vehicle Code.

HISTORY

1. New section filed 9–7–84; effective thirtieth day thereafter (Register 84, No. 36).
2. Amendment filed 7–20–87; operative 8–19–87 (Register 87, No. 30).

§ 13–1161. Shipping Papers.

(a) Applicability. Shippers and carriers shall comply with the shipping paper requirements contained in 49 CFR Part 172, Subpart C and 49 CFR 177.817.

(b) Retention – Shippers and carriers subject to federal jurisdiction. Shippers and carriers of hazardous materials transported in commerce shall comply with the one year shipping paper retention requirements contained in 49 U.S.C. Section 5110 and shall make them available for inspection by any duly authorized employee of the department.

(c) Retention – Shippers and carriers not subject to federal jurisdiction. Shippers and carriers not subject to federal jurisdiction shall retain copies of shipping papers for at least six months and shall make them available for inspection by any duly authorized employee of the department.

NOTE: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY

1. Amendment filed 12–21–77 as an emergency; designated effective 1–1–78. Certificate of Compliance included (Register 77, No. 52).
2. Amendment of subsection (e) filed 1–20–78 as an emergency; effective upon filing (Register 78, No. 3).
3. Certificate of Compliance filed 3–21–78 (Register 78, No. 12).
4. Amendment of subsections (a), (d)(1) and (d)(3) filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28).
5. Amendment filed 2–22–82; effective thirtieth day thereafter (Register 82, No. 9).
6. Amendment of subsection (a) filed 9–7–84; effective thirtieth day thereafter (Register 84, No. 36).
7. Amendment of subsection (b) filed 7–20–87; operative 8–19–87 (Register 87, No. 30).
8. Repealer of subsections (a)–(e), new subsection (a) and relettering of subsection (f) to subsection (b) filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
9. Amendment of section and NOTE filed 10–5–99; operative 11–4–99 (Register 99, No. 41).

§ 13–1161.1. Shipping Certification.

(a) Shipper Certificate Required. Shippers shall not offer and initial carriers (other than private carriers) shall not accept for transportation hazardous materials in any form other than bulk shipments in cargo tanks furnished by the carrier, unless the shipper provides a signed certificate prepared in conformance with 49 CFR 172.204.

(b) Retention. Certificates need not be carried with the material enroute, however, copies of shipper certificates shall be retained for at least six months and shall be subject to inspection by any authorized employee of the department.

NOTE: Authority and reference cited: Section 34501, Vehicle Code.

HISTORY
1. Amendment filed 12–21–77 as an emergency; designated effective 1–1–78. Certificate of Compliance included (Register 77, No. 52).
2. Amendment filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28).
3. Amendment filed 2–22–82; effective thirtieth day thereafter (Register 82, No. 9).
4. Amendment of subsections (a) and (b) filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
5. Repealer of subsections (b) and (d) and subsection relettering filed 3–6–95; operative 4–5–95 (Register 95, No. 10).

§ 13–1161.2. Hazard Labels.

(a) Applicability. Shippers and carriers shall comply with the labeling requirements contained in 49 CFR Part 172, Subpart E (commencing with Section 172.400).

(b) As specified in 49 CFR 172.401(b), no labels shall be used when they may be confused by reason of shape, size, or color with the hazard labels prescribed by this section unless authorized by 49 CFR 172.401(c).

(c) As specified in 49 CFR 172.401(a), hazard labels prescribed by this section shall not be affixed to packagings which do not contain hazardous materials or when the label does not represent the hazard of the hazardous material in the package, unless authorized by 49 CFR 172.401(c).

(d) All labels and decals on packages shall be replaced before they become illegible.

NOTE: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY
1. Amendment of subsection (c) filed 7–20–87; operative 8–19–87 (Register 87, No. 30).
2. Repealer of subsections (a)–(c), new subsection (a), relettering and amendment of subsection (d) to subsection (b) and relettering of subsections (e) and (f) to subsections (c) and (d) filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
3. Amendment of subsections (a)–(d) and new subsection (e) filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
4. Amendment of subsection (d) and repealer of subsection (e) filed 8–20–97; operative 9–19–97 (Register 97, No. 34).
5. Amendment of subsection (a) and NOTE filed 10–5–99; operative 11–4–99 (Register 99, No. 41).

§ 13–1161.3. Marking.

(a) Applicability. Shippers and carriers shall comply with the marking requirements contained in 49 CFR Part 172, Subpart D (commencing with Section 172.300), and 49 CFR 177.823.

(b) Hazardous materials proper shipping names and identification numbers shall not be marked on packagings when prohibited by 49 CFR 172.303.

NOTE: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY
1. Designation and amendment of subsection (a) and new subsection (b) and NOTE filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
2. Amendment of subsection (a) filed 10–5–99; operative 11–4–99 (Register 99, No. 41).

§ 13–1161.6. Emergency Response Information.

Shippers and carriers shall comply with the applicable emergency response information requirements contained in 49 CFR Part 172, Subpart G (commencing with Section 172.600).

NOTE: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY
1. New section filed 7–31–95; operative 8–30–95 (Register 95, No. 31).
2. Amendment of section filed 8–14–96; operative 9–13–96 (Register 96, No. 33).
3. Amendment filed 10–5–99; operative 11–4–99 (Register 99, No. 41).

§ 13–1161.7. Hazardous Materials Training.

(a) Applicability. Carriers and shippers who are directly subject to federal jurisdiction pursuant to 49 CFR 171.1 are subject to the following:

(1) Shippers and carriers shall comply with the hazmat employee training requirements contained in 49 CFR Part 172, Subpart H (commencing with Section 172.700).

(2) Shippers shall also comply with the training provisions contained in 49 CFR 173.1.

(3) Carriers shall also comply with the training provisions contained in 49 CFR Sections 177.800 and 177.816.

(b) Shippers and carriers not directly subject to federal jurisdiction shall thoroughly instruct each of their officers, agents, and employees having any responsibility for preparing hazardous materials for transportation, or for transporting hazardous materials as to applicable requirements of Article 3 governing the performance of those individuals' responsibilities.

NOTE: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY
1. New section filed 11–30–88; operative 12–30–88 (Register 88, No. 51). Text was modified and moved to Section 1161.7. Repealer filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
2. Amendment of subsection (a) filed 10–5–99; operative 11–4–99 (Register 99, No. 41).

§ 13–1162. Placards.

(a) Applicability. Shippers and carriers shall comply with the placarding requirements contained in 49 CFR Part 172, Subpart F (commencing with Section 172.500) and 49 CFR 177.823.

(b) Exclusions. This section does not apply to the transportation of small quantities of explosives as provided by Vehicle Code Section 27903.

(c) Placards shall not be affixed to a packaging, freight container, motor vehicle, etc. when prohibited by 49 CFR 172.502(a).

(d) Placards may be affixed even when not required by this section when displayed in accordance with 49 CFR 172.502(c).

NOTE: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY
1. Amendment of subsection (g) filed 8–5–77 as an emergency; effective upon filing (Register 77, No. 32).
2. Certificate of Compliance filed 10–21–77 (Register 77, No. 43).
3. Amendment of subsection (g) filed 12–21–77 as an emergency; designated effective 1–1–78. Certificate of Compliance included (Register 77, No. 52).
4. New subsection (h) filed 1–20–78 as an emergency; effective upon filing (Register 78, No. 3).
5. Certificate of Compliance filed 3–21–78 (Register 78, No. 12).
6. Repealer of subsection (h) filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28).
7. Amendment filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
8. Amendment of subsections (a)–(c) and new subsection (d) filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
9. Amendment of subsection (a) and NOTE filed 10–5–99; operative 11–4–99 (Register 99, No. 41).

§ 13–1162.1. Vehicle Safety Equipment.

(a) Fire Extinguishers.

(1) Every three–axle motortruck or combination of vehicles shall be equipped with one fire extinguisher with at least a 4B:C rating, except as provided in (2) or (3).

(2) Every motor vehicle shall be equipped with one fire extinguisher rated at least 10B:C if the motor vehicle, or any vehicle in a combination of which it is a part, transports cargo requiring placards (Section 1162). Two fire extinguishers with a combined rating of 10B:C may be used, provided the rating of neither unit is less than 4B:C.

(3) Every tank vehicle or combination of tank vehicles used to transport flammable or combustible liquids shall be equipped with at least one fire extinguisher having a rating of not less than 20B:C. A fire extinguisher rated 12B:C and in service prior to July 1, 1970, may continue in use if it is in good working order. Fire extinguishers required by this subsection shall be serviced annually in accordance with Title 19, California Code of Regulations Chapter 1, Subchapter 3, commencing with Section 550.

(4) Each fire extinguisher shall have been rated and labeled by one of the following test labs approved by the State Fire Marshal to test and label portable fire extinguishers for sale in California.

(A) Underwriter's Laboratories, Northbrook, Illinois. All sizes and classifications.

(B) Factory Mutual Research Corporation, Norwood, Massachusetts. Sizes 10B:C, 1A 10B:C, 2A 40B:C, 3A 40B:C, and 4A 80B:C fire extinguishers filled with Halon 1211 or Halon 1301.

(5) Fire extinguishers using any carbon tetrachloride, chlorobromomethane, or methyl bromide as extinguishing agents shall not be carried for use in or about any vehicle.

(6) Each fire extinguisher shall be securely mounted on a motor vehicle or trailer in a conspicuous place or in a clearly marked compartment and readily accessible.

(7) Fire extinguishers shall be maintained in efficient operating condition and shall be equipped with means for determining if they are fully charged.

(b) Emergency Warning Devices.

(1) Every vehicle or combination of vehicles transporting Division 1.1, 1.2 or 1.3 explosives shall carry 3 red emergency reflectors.

[The next page is 73.]

(2) Liquid burning flares, fusees, oil lanterns, or any signal produced by a flame shall not be carried on any vehicle or vehicle combination transporting Division 1.1, 1.2 or 1.3 (explosives) hazardous materials; or any cargo tank vehicle or in any other vehicle operated in combination with a cargo tank vehicle and used for the transportation of Division 2.1 (flammable gas), Class 3 (flammable liquid) or combustible liquid materials whether loaded or empty.

NOTE: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY

1. Amendment of subsection (a)(3) filed 11–5–81; effective thirtieth day thereafter (Register 81, No. 45).
2. Amendment filed 6–22–83; effective thirtieth day thereafter (Register 83, No. 26).
3. Amendment of subsection (a)(3) filed 5–4–84; effective thirtieth day thereafter (Register 84, No. 18).
4. Amendment of subsection (a) filed 10–28–86; effective thirtieth day thereafter (Register 86, No. 44).
5. Change without regulatory effect of subsection (a) (3) filed 2–8–88; operative 3–9–88 (Register 88, No. 7).
6. Editorial correction of subsection (a)(4) (Register 95, No. 28).
7. Repealer and new subsection (b)(2) and amendment of NOTE filed 6–17–96; operative 7–17–96 (Register 96, No. 25).
8. Amendment filed 10–5–99; operative 11–4–99 (Register 99, No. 41).

§ 13–1163. Shipment Preparation.

Shipment preparation of hazardous materials shall be governed by the following:

(a) Shipment Preparation and Transportation. Shipments shall be prepared for transportation and transported in accordance with provisions of 49 CFR Part 173.

(b) Authorized Packages–General. Only packagings authorized for shipment of specific commodities by 49 CFR Parts 172 and 173, shall be used, except when otherwise authorized by Sections 1160.1, 1160.4(c) or (d), or 1163(c) or (f) of this article.

(c) Previously Authorized State Fire Marshal Cargo Tanks. Cargo tanks that were authorized by Title 19, California Code of Regulations, (19 CCR), Section 1609.1 on April 1, 1984, which were manufactured and placed into service prior to April 1, 1984, may continue to be used by intrastate carriers, who are not directly subject to federal jurisdiction prior to the October 1, 1998, effective date of RSPA Docket HM–200, to transport flammable liquids under the conditions listed below. Cargo tanks having a capacity of less than 13,250 liters (3,500 gallons) used for the transportation of flammable liquid petroleum products may continue to be used under the provisions of 49 CFR 173.8(b). Cargo tanks transporting flammable liquids other than petroleum products, or having a capacity of 13,250 liters or more, may continue to be used under the following requirements pursuant to 49 CFR 173.8(a) until July 1, 2000.

(1) The flammable liquid has no secondary hazard(s) for which transportation in a MC–306 cargo tank is not authorized.

(2) The cargo tanks are maintained, retested, inspected and marked in accordance with 49 CFR 173.24(b), (e), (f), (g) and (h); 173.24b(a)(1) and (2), (c) and (d)(1); and 49 CFR Part 180 applicable to a MC–306 DOT specification cargo tank.

(d) Leaking packages. Package closures shall be adequate to prevent leakage of contents, and leaking packages shall not be transported.

(e) Qualification and Maintenance of Packagings. Except as provided in subsections (c) and (f), the maintenance, retesting, inspection and qualification of packages shall be in accordance with 49 CFR Part 173, Subpart B and 49 CFR Part 180. Copies of certificates, reports, and records of retesting shall be subject to inspection by any authorized employee of the department.

(f) Anhydrous Ammonia—Additional Packagings. Truck–mounted cargo tanks manufactured before 1970, or manufactured before 1972 and having a capacity of 7,571 liters (2,000 gallons) or less, may be continued in service by private carriers to transport anhydrous ammonia between a filling point and a ranch, or between two locations on one ranch, or between ranches, and need not meet specifications in 49 CFR Part 178, provided:

(1) The tank meets design, construction, repair and operational requirements for anhydrous ammonia transportation tanks in the Unfired Vessels Safety Orders, Chapter 4, Title 8, California Code of Regulations; and

(2) The tank is operated by a carrier not subject to federal jurisdiction.

NOTE: Authority and reference cited: Sections 34019 and 34501, Vehicle Code.

HISTORY

1. New subsection (g) filed 5–12–77 as an emergency; effective upon filing (Register 77, No. 20).
2. Certificate of Compliance filed 7–15–77 (Register 77, No. 29).
3. Amendment of subsection (a) filed 12–21–77 as an emergency; designated effective 1–1–78. Certificate of Compliance included (Register 77, No. 52).
4. Amendment filed 7–26–78; designated effective 9–1–78 (Register 78, No. 30).
5. Amendment of subsection (g) filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28).
6. Amendment of subsection (e) filed 2–22–82; effective thirtieth day thereafter (Register 82, No. 9).
7. Amendment of subsection (b) filed 6–22–83; effective thirtieth day thereafter (Register 83, No. 26).
8. Amendment of subsections (b) and (e) filed 5–4–84; effective thirtieth day thereafter (Register 84, No. 18).
9. Amendment filed 7–20–87; operative 8–19–87 (Register 87, No. 30).
10. Change without regulatory effect of subsections (b), (e) and (f)(2)(A) filed 2–8–88; operative 3–9–88 (Register 88, No. 7).
11. Amendment of subsection (f) and repealer of subsection (g) filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
12. Amendment filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
13. Amendment of subsections (c)(2) and (e) filed 8–20–97; operative 9–19–97 (Register 97, No. 34).
14. Amendment of subsection (c) filed 10–26–98 as an emergency; operative 11–25–98 (Register 98, No. 44).

§ 13–1163.1. Prohibited Transportation.

Shippers shall not offer and carriers shall not transport any of the following:

(a) Materials designated as "Forbidden" by 49 CFR 172.101.

(b) Any package containing any materials or combinations of materials that is forbidden to be tendered for transportation by the provisions of 49 CFR 173.21.

(c) Hazardous materials prepared or offered for shipment in a manner specifically prohibited or restricted by 49 CFR Part 173 or 177.

NOTE: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY

1. Repealer and new section filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
2. Amendment of subsections (a) and (c) and amendment of NOTE filed 10–5–99; operative 11–4–99 (Register 99, No. 41).

§ 13–1164. Vehicle Loading.

(a) Loading Requirements. Load securement, loading, unloading and vehicle utilization shall comply with 49 CFR Part 177, Subparts B and C.

(b) Packages. Packages shall be secured during transit by use of bracing, chocks, or tiedowns to prevent their sliding, falling, tipping, or rolling with normal vehicle acceleration, deceleration, or change in direction. Ends, sidewalls, or doors of van bodies, or racks on flatbed vehicles shall not be relied upon for the securement of portable tanks.

NOTE: Authority and reference cited: Section 34501, Vehicle Code.

HISTORY

1. Amendment filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28).
2. New subsection (a)(7) and amendment of subsection (d) filed 2–22–82; effective thirtieth day thereafter (Register 82, No. 9).
3. Amendment filed 6–22–83; effective thirtieth day thereafter (Register 83, No. 26.)
4. Amendment filed 7–20–87; operative 8–19–87 (Register 87, No. 30).
5. Change without regulatory effect by moving text from Section 1165(d) to Section 1164(b) and from Section 1165(c) to Section 1164(c) filed 11–30–88; operative 12–30–88 (Register 88, No. 51).

6. Amendment of subsection (a) and repealer of subsections (c)–(f) filed 3–6–95; operative 4–5–95 (Register 95, No. 10).

§ 13–1165. [Reserved].

NOTE: Authority cited: Section 32102, Vehicle Code. Reference: Section 32107, Vehicle Code.

HISTORY

1. New subsection (e) filed 5–12–77 as an emergency; effective upon filing (Register 77, No. 20).
2. Certificate of Compliance filed 7–15–77 (Register 77, No. 29).
3. Amendment of subsection (b) filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28).
4. New subsection (e) and relettering and amendment of former subsection (e) to subsection (f) filed 2–22–82; effective thirtieth day thereafter (Register 82, No. 9).
5. Amendment filed 6–22–83; effective thirtieth day thereafter (Register 83, No. 26).
6. Repealer of subsection (e) filed 9–7–84; effective thirtieth day thereafter (Register 84, No. 36).
7. Repealer filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
8. New section filed 11–25–91; operative 3–24–91 (Register 92, No. 8).
9. Change without regulatory effect repealing section filed 11–16–94 pursuant to section 100, title 1, California Code of Regulations (Register 94, No. 46).
10. Repealer of section heading filed 8–20–97; operative 9–19–97 (Register 97, No. 34).

§ 13–1166. Reporting of Incidents Involving Hazardous Materials or Hazardous Wastes.

(a) Carriers directly subject to federal jurisdiction pursuant to 49 CFR Part 171 shall comply with the detailed written incident reporting requirements contained in 49 CFR 171.16.

(b) Carriers not directly subject to federal jurisdiction shall report incidents involving hazardous materials or hazardous wastes during transportation,loading or unloading, or temporary storage on carrier premises as follows:

(1) Reports Required. A written report is required of incidents that result in:

(A) Any spill or discharge of hazardous materials or hazardous wastes from any package container, or tanker

(B) Fatality, injury, or hospitalization of any person due to fire, explosion of, or exposure to any hazardous material or hazardous wastes.

(C) Continuing danger to life, health or natural resources at the scene of the incident.

(D) Estimated property damage exceeding $50,000.

(2) Report Content and Routing. The written report shall, within 30 days of the date of incident discovery, be submitted to the Department of the California Highway Patrol, Commercial Vehicle Section, Post Office Box 942898, Sacramento, CA 94298–0001. The report shall include time and date of occurrence, injuries, property damage, continuing danger to life at the scene of the incident, identification of the commodity and its classification, and other pertinent details. The report may be prepared utilizing DOT Form F5800.1 (Rev. 6/89), Hazardous Materials Incident Report.

(3) Report Retention. A copy of each hazardous materials or hazardous waste spill report shall be retained by the carrier for at least six months, and shall be subject to inspection by duly authorized employees of the department.

(4) Exceptions. The requirements of subsection (b) do not apply to incidents involving the spill or discharge of materials:

(A) Transported under the following proper shipping names:

(i) Consumer commodity

(ii) Battery, *electric storage*, wet, filled with acid *or* alkali

(iii) Paint and paint related material when shipped in packagings of five gallons or less.

(B) Prepared and transported as a limited quantity shipment in accordance with this article.

(5) The exceptions to incident reporting provided in paragraph (4) of this subsection do not apply to:

(A) Materials in Packing Group I other than consumer commodities.

(B) Incidents involving the transportation of hazardous waste, or:

(C) Incidents where any of the following occur as a direct result of hazardous materials release or threatened release:

(i) A person is killed; or

(ii) A person receives injuries requiring his or her hospitalization; or

(iii) Estimated carrier or other property damage exceeds $50,000; or

(iv) An evacuation of the general public occurs lasting one or more hours; or

(v) One or more major transportation arteries or facilities are closed or shut down for one hour or more.

(c) The DOT Hazardous Materials Incident Report form F5800.1 (Rev. 6/89), a guide for completing the report and text of the reporting requirements are available at the following internet sites respectively: http://hazmat.dot.gov/5800.pdf, http://hazmat.dot.gov/5800guid.pdf, and http://hazmat.dot.gov/spills.htm#171.16. Alternatively, the form F5800.1 and the guide document for assisting in the completion of DOT Form F5800.1 may be obtained from the Office of Hazardous Materials Transportation, DHM–51, U.S. Department of Transportation, Washington, DC 20590–0001.

NOTE: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY

1. Amendment filed 7–8–81; effective thirtieth day thereafter (Register 81, No. 28).
2. Change without regulatory effect of subsection (b) (Register 86, No. 48).
3. Amendment of subsections (b) and (d)(3) filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
4. Amendment of subsection (b) filed 9–27–90; operative 10–27–90 (Register 90, No. 45).
5. Editorial correction restoring subsections (c) and (d) (Register 92, No. 12).
6. Amendment of subsections (b) and (d) filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
7. New subsection (a) and subsection relettering, and amendment of newly designated subsections (b), (b)(1), (b)(2), (b)(4) and (b)(4)(B) filed 8–14–96; operative 9–13–96 (Register 96, No. 33).
8. Amendment of section and NOTE filed 10–5–99; operative 11–4–99 (Register 99, No. 41).

§ 13–1167. Delivery of Shipments; Action in Event of Accidents.

The delivery of hazardous materials shipments and required driver action in the event of accidents shall be governed by provisions of 49 CFR Part 177, Subpart D (commencing with Section 177.854). Notwithstanding the provisions of Section 1163(d), a leaking packaging which develops or is discovered subsequent to the commencement of transportation may be transported in accordance with 49 CFR Part 177, Subpart D.

NOTE: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY

1. Amendment of section and new NOTE filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
2. Amendment filed 8–20–97; operative 9–19–97 (Register 97, No. 34).
3. Amendment filed 10–5–99; operative 11–4–99 (Register 99, No. 41).

§ 13–1168. [Reserved].

NOTE: Authority and reference cited: Section 34501, Vehicle Code.

HISTORY

1. New section filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
2. Repealer of section heading and section filed 8–20–97; operative 9–19–97 (Register 97, No. 34).

§ 13–1170. Scope.

NOTE: Authority and reference cited: Section 2560, Vehicle Code.

HISTORY

1. New Article 4 (Sections 1170–1173) filed 8–19–81; effective thirtieth day thereafter (Register 81, No. 34). For history of former Article 4, see Register 77, No. 34.
2. Change without regulatory effect filed 2–8–88; operative 3–9–88 (Register 88, No. 7).
3. Change without regulatory effect repealing section filed 1–29–90 pursuant to Section 100, Title 1, California Code of Regulations (Register 90, No. 5).

§ 13–1171. Definitions.

NOTE: Authority and reference cited: Section 2560, Vehicle Code.

HISTORY
1. Change without regulatory effect of subsection (b) (Register 86, No. 48).
2. Change without regulatory effect repealing section filed 1–29–90 pursuant to Section 100, Title 1, California Code of Regulations (Register 90, No. 5).

§ 13–1172. Fees.

NOTE: Authority and reference cited: Section 2560, Vehicle Code.

HISTORY
1. Change without regulatory effect repealing section filed 1–29–90 pursuant to Section 100, Title 1, California Code of Regulations(Register 90, No. 5). n

§ 13–1173. Reinspections.

NOTE: Authority and reference cited: Section 2560, Vehicle Code.

HISTORY
1. Change without regulatory effect repealing section filed 1–29–90 pursuant to Section 100, Title 1, California Code of Regulations (Register 90, No. 5).

§ 13–1176. Hazardous Waste Training.

NOTE: Authority and reference cited: Section 25168, Health and Safety Code.

HISTORY
1. New article 4.5 (section 1176) filed 6–15–87, operative 7–15–87 (Register 87, No. 25).
2. Repealer filed 3–4–93; operative 3–4–93 (Register 93, No. 10).
3. Repealer of Article 4.5 (sections 1176–1178) filed 3–6–95; operative 4–5–95 (Register 95, No. 10).

§ 13–1178. Hazardous Materials Training.

NOTE: Authority and reference cited: Section 34501, Vehicle Code.

HISTORY
1. New section filed 11–30–88; operative 12–30–88 (Register 88, No. 51).
2. Repealer filed 3–6–95; operative 4–5–95 (Register 95, No. 10).

§ 13–1190. [Reserved].

NOTE: Authority cited: Section 34020, Vehicle Code. Reference: Sections 34000, 34040–34045, 34048 and 34049, Vehicle Code.

HISTORY
1. Renumbering of former Section 1190 to Section 1190.1 and new Section 1190 filed 9–7–84; effective thirtieth day thereafter (Register 84, No. 36). For prior history, see Registers 84, No. 2; and 83, No. 26.
2. Change without regulatory effect repealing section heading and section filed 12–2–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 49).

§ 13–1190.1. [Reserved].

NOTE: Authority cited: Section 34020, Vehicle Code. Reference: Sections 34000, 34040–34045, 34048 and 34049, Vehicle Code.

HISTORY
1. New article 6 (sections 1190–1194) filed 6–22–83; effective thirtieth day thereafter (Register 83, No. 26).
2. Relettering of subsection (b) to subsection (c) and new subsection (b) filed 1–9–84; effective thirtieth day thereafter (Register 84, No. 2).
3. Renumbering of former section 1190 to section 1190.1 and amendment of NOTE filed 9–7–84; effective thirtieth day thereafter (Register 84, No. 36).
4. Change without regulatory effect of subsection (c)(3) (Register 86, No. 48).
5. Editorial correction of subsection (c)(3) printing error (Register 87, No. 4).
6. Amendment filed 3–4–93; operative 3–4–93 (Register 93, No. 10).
7. Amendment of subsections (a) and (b) filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
8. Change without regulatory effect repealing section heading and section filed 12–2–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 49).

§ 13–1191. [Reserved].

NOTE: Authority cited: Section 34020, Vehicle Code. Reference: Sections 34000, 34020, 34045 and 34048, Vehicle Code.

HISTORY
1. Amendment of subsections (c) and (d) filed 3–4–93; operative 3–4–93 (Register 93, No. 10).
2. Change without regulatory effect repealing section heading and section filed 12–2–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 49).

§ 13–1192. [Reserved].

NOTE: Authority cited: Section 34020, Vehicle Code. Reference: Sections 34000, 34060 and 34060.5, Vehicle Code.

HISTORY
1. Amendment of subsections (a) and (c) filed 3–4–93; operative 3–4–93 (Register 93, No. 10).
2. Amendment filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
3. Change without regulatory effect repealing section heading and section filed 12–2–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 49).

§ 13–1193. [Reserved].

NOTE: Authority cited: Section 34020, Vehicle Code. Reference: Sections 34000, 34043, 34044, 34060 and 34060.5, Vehicle Code.

HISTORY
1. Amendment of subsections (a)(5) and (b) filed 5–4–84; effective thirtieth day thereafter (Register 84, No. 18).
2. Amendment of subsection (a) filed 3–6–86; effective thirtieth day thereafter (Register 86, No. 10).
3. Change without regulatory effect of subsection (a)(1) (Register 87, No. 25).
4. Amendment of section and Figure 1 filed 3–4–93; operative 3–4–93 (Register 93, No. 10).
5. Amendment of subsections (a), (a)(4), and (b) and new subsection (c) filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
6. Change without regulatory effect repealing section heading and section filed 12–2–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 49).

§ 13–1194. [Reserved].

NOTE: Authority cited: Section 34020, Vehicle Code. Reference: Sections 34000 and 34044, Vehicle Code.

HISTORY
1. New subsection (c) filed 5–4–84; effective thirtieth day thereafter (Register 84, No. 18).
2. Amendment of section heading, repealer of subsections (a)–(c) and new subsections (a)–(b) filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
3. Change without regulatory effect repealing section heading and section filed 12–2–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 49).

§ 13–1195. [Reserved].

NOTE: Authority and reference cited: Section 34019, Vehicle Code.

HISTORY
1. New section filed 5–4–84; effective thirtieth day thereafter (Register 84, No. 18).
2. Change without regulatory effect of subsection (a) filed 2–8–88; operative 3–9–88 (Register 88, No. 7).
3. Repealer filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
4. Change without regulatory effect repealing section heading filed 12–2–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 49).

§ 13–1196. [Reserved].

NOTE: Authority and reference cited: Section 34019, Vehicle Code.

HISTORY
1. New section filed 5–4–84; effective thirtieth day thereafter (Register 84, No. 18).
2. Repealer filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
3. Change without regulatory effect repealing section heading filed 12–2–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 49).

§ 13–1197. [Reserved].

NOTE: Authority and reference cited: Section 34019, Vehicle Code.

HISTORY
1. New section filed 5–4–84; effective thirtieth day thereafter (Register 84, No. 18).
2. Repealer filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
3. Change without regulatory effect repealing section heading filed 12–2–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 49).

§ 13–1200. Scope.

(a) Applicability. Unless otherwise indicated within a specific section, the provisions of this chapter shall apply to farm labor vehicles and the vehicles listed in Vehicle Code Sections 34500 and 34500.1 and their operation.

(b) Limited Application.

(1) Two–axle motor trucks with a gross vehicle weight rating of 26,000 pounds or less transporting hazardous materials in quantities for which placards are required pursuant to Vehicle Code Section 27903 shall be subject to the following Sections of this chapter: 1212, 1212.5, 1213, 1213.1, 1214, 1215, 1229, 1230, 1232, 1234, and 1256.

(2) Two–axle motor trucks with a gross vehicle weight rating of 26,000 pounds or less transporting hazardous materials in quantities for which placards are not required shall be subject to the following Sections of this chapter: 1212, 1212.5, 1214, 1215 (except 1215(b)), 1229, 1230, and 1232. Two–axle motortrucks transporting hazardous materials for which a license is required by Vehicle Code Section 32000.5 shall also be subject to Section 1256.

(3) Section 1213.1 Subsections (c) through (f), shall apply to drivers of commercial motor vehicles as defined in Vehicle Code Section 15210.

(4) Two–axle motor trucks described in subdivision (j) of Vehicle Code Section 34500 shall be subject only to Sections 1212, 1212.5 and 1213 of this chapter.

(5) Persons operating vehicles which cause those persons to be subject to the Motor Carriers of Property Act as described in Division 14.85 of the Vehicle Code, but which vehicles are not included in Vehicle Code Section 34500, shall be subject to Article 6.5 of this chapter.

(c) Exceptions.

This chapter shall not apply to vehicles used primarily off the highway and not required to be registered pursuant to Vehicle Code Section 4000(a).

NOTE: Authority cited: Sections 31401, 34501, 34501.2, 34501.5, 34508 and 34513, Vehicle Code; and Section 39831, Education Code. Reference: Sections 31401, 34500, 34500.1, 34501, 34501.2, 34501.5 and 34508, Vehicle Code; and Section 39831, Education Code.

HISTORY

1. New subchapter 6.5 (articles 1–9, consecutive; sections 1200–1293, consecutive) filed 8–14–78; designated effective 9–18–78 (Register 78, No. 33). For prior history, see Register 78, No. 33 (subchapter 6, article 2, sections 1210–1230, not consecutive).
2. Amendment of section title filed 4–9–79; designated effective 6–1–79 (Register 79, No. 15).
3. Amendment of subsection (a) filed 6–9–82; effective thirtieth day thereafter (Register 82, No. 24).
4. Amendment filed 10–28–82; effective thirtieth day thereafter (Register 82, No. 44).
5. Amendment filed 4–27–83; effective thirtieth day thereafter (Register 83, No. 18).
6. Amendment of subsection (c) filed 6–22–83; effective thirtieth day thereafter (Register 83, No. 26).
7. Amendment filed 10–30–86; effective thirtieth day thereafter (Register 86, No. 44).
8. Amendment of subsection (a) filed 8–4–87; operative 9–3–87 (Register 87, No. 32).
9. Change without regulatory effect adding new subsection (b)(3) filed 8–13–91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 4).
10. New subsection (b)(4) filed 4–28–92; operative 5–28–92 (Register 92, No. 18).
11. Amendment of subsections (a), (b)(1), (b)(2), (c) and NOTE filed 7–22–93; operative 8–21–93 (Register 93, No. 30).
12. Amendment of subsection (b)(4) and NOTE filed 9–6–95; operative 10–6–95 (Register 95, No. 36).
13. Amendment of subsection (a) filed 3–31–99; operative 4–30–99 (Register 99, No. 14).
14. Amendment of subsection (b)(3) filed 10–24–2001; operative 11–23–2001 (Register 2001, No. 43).
15. New subsection (b)(5) filed 3–20–2002; operative 4–19–2002 (Register 2002, No. 12).

§ 13–1202.1. Applicability of Federal Regulations.

Carriers, drivers, and vehicles engaged in interstate commerce or in the transportation of hazardous substances or hazardous wastes as defined in 49 CFR 171.8 (published October 1, 2006) shall be subject to the following Federal Motor Carrier Safety Regulations contained in Title 49, Code of Federal Regulations:

Section	*Subject*	*Publication Date*
385.415	What operational requirements apply to the transportation of a hazardous material for which a permit is required?	October 1, 2006
391.15(b)(2)	Disqualification for loss of Driving Privilege	October 1, 2006
392.60	Unauthorized Persons Not to Be Transported	October 1, 2006
393.86	Rear end protection	October 1, 2006
393.93	Seats, Seat Belt Assemblies, and Seat Belt Assembly Anchorages	October 1, 2006
396.11	Driver Vehicle Inspection Report(s)	October 1, 2006
396.13	Driver inspection	October 1, 2006
396.17	Periodic Inspection	October 1, 2006
397.17	Tires	October 1, 2006
397.19	Instructions and Documents	October 1, 2006
397.67	Motor carrier responsibility for routing	October 1, 2006

NOTE: Authority cited: Section 34501, Vehicle Code. Reference: Section 34501, Vehicle Code.

HISTORY

1. New section filed 3–7–85; effective thirtieth day thereafter (Register 85, No. 10).
2. Amendment filed 7–17–89; operative 8–16–89 (Register 89, No. 29).
3. Amendment filed 1–24–91; operative 2–23–91 (Register 91, No. 12).
4. Editorial correction of printing error (Register 91, No. 12).
5. Change without regulatory effect amending section filed 3–21–91 pursuant to section 100, title 1, California Code of Regulations (Register 91, No. 14).
6. Editorial correction of printing error restoring text and HISTORY 2. (Register 91, No. 30).
7. Editorial correction restoring sections 392.60, 392.61, 396.11 and 396.17 (Register 91, No. 48).
8. Editorial correction restoring HISTORY 2, deleting former HISTORY 5, and renumbering (Register 95, No. 15).
9. Amendment filed 9–6–95; operative 10–6–95 (Register 95, No. 36).
10. Amendment filed 3–31–99; operative 4–30–99 (Register 99, No. 14).
11. Amendment filed 4–10–2008; operative 5–10–2008 (Register 2008, No. 15).

§ 13–1216. Transportation of Property.

The following requirements govern the transportation of hazardous materials and other property on buses and farm labor vehicles:

(a) Hazardous Materials. Motor carriers and drivers shall not transport, or knowingly permit passengers to carry, any hazardous material as defined in Vehicle Code Section 353. These restrictions shall not apply to:

(1) Oxygen medically prescribed for, and in the possession of, a passenger and in a container designed for personal use.

(2) Personal–use articles in the immediate possession of a driver or passenger.

(3) Hazardous materials transported in a bus (except a school bus, SPAB, or youth bus) subject to federal jurisdiction and in compliance with the applicable provisions of 49 CFR Part 177.

(b) Fuel. Fuel shall not be transported except in the vehicle's regular fuel tanks.

(c) General Property. Drivers and motor carriers shall not permit any greater quantity of freight, express, or baggage in vehicles than can be safely and conveniently carried without causing discomfort or unreasonable annoyance to passengers. In no event shall aisles, doors, steps, or emergency exits be blocked.

(d) Animals. A driver or motor carrier may refuse to transport dogs or other animals except as provided in Civil Code Section 54.2. When transported upon a bus engaged in public passenger transportation, all other animals shall be muzzled or securely crated to eliminate the possibility of injury to passengers. No animals except those specified in Civil Code Section 54.2 shall be transported in a school bus, SPAB, or youth bus. In such cases, the driver may determine whether the animal should be muzzled.

(e) Tools in Farm Labor Vehicles. All cutting tools or tools with sharp edges carried in the passenger compartment of a farm labor vehicle shall be placed in covered containers. All other tools, equipment, or materials carried in the passenger compartment shall be secured to the body of the vehicle.

(f) Wheelchairs. Wheelchairs transported on buses, except school buses, shall meet the following requirements:

(1) Brakes. The wheelchair shall have brakes or other effective mechanical means of holding it stationary during raising and lowering of a wheelchair platform.

(2) Batteries. Batteries used to propel wheelchairs shall be spill resistant or in a spill resistant container and shall be securely attached to the wheelchair.

(3) Flammable Fuel. The wheelchair shall not use flammable fuel.

NOTE: Authority cited: Sections 31401, 34501, 34501.5 and 34508, Vehicle Code. Reference: Sections 336, 353, 31401, 34501 and 34501.5, Vehicle Code; and Section 39831, Education Code.

HISTORY

1. New subsection (f) filed 7–13–79; effective thirtieth day thereafter (Register 79, No. 28).
2. Amendment of subsection (d) filed 12–28–81; effective thirtieth day thereafter (Register 82, No. 1).
3. Amendment filed 6–9–82; effective thirtieth day thereafter (Register 82, No. 24).
4. Amendment of subsection (d) filed 10–28–82; effective thirtieth day thereafter (Register 82, No. 44).
5. Amendment of subsections (a)(1)–(3) and amendment of NOTE filed 1–24–2000; operative 2–23–2000 (Register 2000, No. 4).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 7. Air Resources Board

(Title 13)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800-888-3600

Division 7. Air Resources Board

TABLE OF CONTENTS

Page

Division 7. Air Resources Board 77

§ 13-2263.7. Multiple Notification Requirements.

§ 13-2266.5. Requirements Pertaining to California Reformulated Gasoline Blendstock for Oxygen Blending (CARBOB) and Downstream Blending.

Division 7. Air Resources Board
(Title 13)

§§ 13–1956.8—13–2263. [Removed]

HISTORY

1. Removal of sections 13–1956.8—13–2263 from title 26 filed 3–18–96 pursuant to Cal. Code Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 13 (Register 96, No. 12).

§ 13–2263.7. Multiple Notification Requirements.

Where a producer or importer is subject to multiple notification requirements pursuant to sections 2264(a)(2)(A), 2264.2(a)(2), 2264.2(b)(2), 2265(a)(2), 2266(c) or 2266.5(b), the producer shall combine the notifications to the extent practicable.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43013.1, 43018 and 43101, Health and Safety Code; and *Western Oil and Gas Ass'n.* v. *Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal. Rptr. 249 (1975). Reference: Sections 39000, 39001, 39002, 39003, 39010, 39500, 39515, 39516, 41511, 43000, 43013, 43013.1, 43016, 43018 and 43101, Health and Safety Code; and *Western Oil and Gas Ass'n.* v. *Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal. Rptr. 249 (1975).

HISTORY

1. New section filed 2–28–96; operative 2–28–96 pursuant to Government Code section 11343.4(d) (Register 96, No. 9).
2. Amendment of NOTE filed 8–3–2000; operative 9–2–2000 (Register 2000, No. 31).

§§ 13–2264—13–2266. [Removed]

HISTORY

1. Removal of sections 13–2264—13–2266 from title 26 filed 3–18–96 pursuant to Cal. Code Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 13 (Register 96, No. 12).

§ 13–2266.5. Requirements Pertaining to California Reformulated Gasoline Blendstock for Oxygen Blending (CARBOB) and Downstream Blending.

(a) Application of the California gasoline standards to CARBOB.

(1) Applicability of standards and requirements to CARBOB. All of the standards and requirements in sections 2261, 2262, 2262.3, 2262.4, 2262.5(a), (b), (c) and (e), 2262.6, 2264, 2264.2, 2265, 2266, 2267, 2268, 2270(b) and (c), 2271 and 2272 pertaining to California gasoline or transactions involving California gasoline also apply to CARBOB or transactions involving CARBOB. Whenever the term "California gasoline" is used in the sections identified in the preceding sentence, the term means "California gasoline or CARBOB." Whenever the term "gasoline" is used in section 2265(b)(1), the term means "California gasoline or CARBOB."

(2) Determining whether a final blend of CARBOB complies with the standards for California gasoline.

(A) General.

1. Applicability. This section (a)(2) governs the determination of whether a final blend of CARBOB complies with the standards for California gasoline that apply when the gasoline is sold or supplied from the production or import facility at which it was produced or imported. Section (a)(6) governs the determination of whether downstream CARBOB that has already been supplied from its production or import facility complies with the applicable cap limits for California gasoline.

2. Where a producer or importer has designated a final blend as CARBOB and has complied with all applicable provisions of this section 2266.5, the properties of the final blend for purposes of compliance with sections 2262, 2262.3, 2262.4, 2262.5, 2262.6, 2265 and 2266 shall be determined in accordance with section (a)(2)(B) or (a)(2)(C) as applicable.

3. If the producer or importer has not complied with all applicable provisions of this section 2266.5, the properties of the final blend for purposes of the producer's or importer's compliance with the limits for sulfur, benzene, aromatic hydrocarbons, olefins, T50, T90, and oxygen required by sections 2262.3, 2262.5, 2265 and 2266 shall be determined without using the CARBOB Model or adding oxygenate to the gasoline, and compliance with the flat limits for Reid vapor pressure and oxygenates required by sections 2262.4, 2262.6, 2265 and 2266 shall be determined in accordance with section (a)(2)(B) or (a)(2)(C) as applicable.

(B) Determining whether a final blend of CARBOB complies with the standards for California gasoline by use of the CARBOB Model.

1. A producer or importer may elect to have the CARBOB model used in determining whether a final blend designated as CARBOB complies with the standards applicable to California gasoline, by providing the notice in section (b)(1)(C). In this case, the CARBOB limits for the final blend shall be determined in accordance with the "Procedures for Using the California Model for California Reformulated Gasoline Blendstocks for Oxygenate Blending (CARBOB)," as adopted April 25, 2001. The CARBOB's compliance with the assigned CARBOB limit for a property shall constitute compliance with the corresponding finished gasoline limit — be it a section 2262 flat limit, PM flat limit, TC limit, or (if no designated alternative limit has been established) section 2262 or PM averaging limit. In addition, where the producer or importer has elected to use the CARBOB model for a given final blend that is not being transferred from its production or import facility during the Reid vapor pressure control period for that facility set forth in section 2262.4(a), the final blend must have a Reid vapor pressure no lower than the value used in the T50 CARBOB model.

2. Notwithstanding section (a)(2)(B)1., where a final blend of CARBOB is sampled and analyzed by a state board inspector in accordance with section 2263 using the methodology in (a)(2)(C), the results may be used to establish a violation of applicable standards for California gasoline.

(C) Determining whether a final blend of CARBOB complies with the standards for California gasoline by oxygenate blending and testing. Except as otherwise provided in section (a)(2)(B), the properties of a final blend of CARBOB shall be determined for purposes of compliance with sections 2262, 2262.3, 2262.4, 2262.5 2262.6, 2265 and 2266 by adding the specified type and amount of oxygenate to a representative sample of the CARBOB and determining the properties and characteristics of the resulting gasoline in accordance with an applicable test method identified in section 2263(b) or permitted under section 2263(c). Where the producer or importer has in accordance with section (b)(1)(E) designated a range of oxygen that is no greater than 0.4 wt.% and denatured ethanol as the oxygenate, the amount of denatured ethanol added shall be the volume percent that results in an oxygen content at the midpoint of the range of oxygen, based on the following equation:

$$\text{Vol.\% Denatured Ethanol} = \frac{59.86}{(21.88/\ \text{wt.\% oxygen}) - 0.0604}$$

Where the producer or importer has in accordance with section (b)(1)(E) designated a range of amounts of oxygen that is greater than 0.4 wt.%, or an oxygenate other than denatured ethanol, the oxygenate shall be added in an amount that results in an oxygen content within 0.2 wt.% of the designated minimum oxygen level.

(D) Characteristics of denatured ethanol used in determining whether a final blend of CARBOB complies with the standards for California gasoline.

1. Default denatured ethanol characteristics on or after December 31, 2002 when the CARBOB Model is used. Except as provided in section (a)(2)(D)3., where a producer or importer has elected to use the CARBOB Model for a final blend of CARBOB supplied from its production or import facility on or after December 31, 2002, the following default denatured ethanol specifications shall be specified for the CARBOB Model:

Sulfur content:	10 parts per million
Benzene content:	0.06 volume percent
Olefin content:	0.5 volume percent
Aromatic hydrocarbon content:	1.7 volume percent

2. Default denatured ethanol characteristics on or after December 31, 2002 when the CARBOB Model is not used. Except as provided in sec-

tion (a)(2)(D)3., where a producer or importer has not elected to use the CARBOB Model, denatured ethanol used as the oxygenate must have the following properties in determining whether CARBOB complies with the standards applicable to California gasoline when it is supplied from the production facility or import facility on or after December 31, 2002:

Sulfur content:	3–10 parts per million
Benzene content:	0–0.06 volume percent
Olefin content:	0–0.5 volume percent
Aromatic hydrocarbon content:	0–1.7 volume percent

3. Producer– or importer–specified characteristics of denatured ethanol used in determining whether a final blend of CARBOB complies with the standards for California gasoline.

a. With respect to a final blend of CARBOB supplied from its production or import facility prior to December 31, 2002, the producer or importer must specify the properties of the oxygenate used in determining whether the final blend of CARBOB complies with the applicable California gasoline standards, by providing the notice in section (b)(1)(D). With respect to a final blend of CARBOB supplied from its production or import facility on or after December 31, 2002, the producer or importer may elect to specify the properties of the oxygenate in accordance with the preceding sentence. Where the producer or importer has elected to use the CARBOB model in connection with the final blend, the maximum value for each property identified in the section (b)(1)(D) notification shall be used for the CARBOB Model. Where the producer or importer has not elected to use the CARBOB model in connection with the final blend, the oxygenate used in oxygenate blending and testing in accordance with section (a)(2)(C)1. must not exceed the maximum value for each property identified in the section (b)(1)(D) notification; that oxygenate's specifications for each property may be under the maximum value for each property identified in the section (b)(1)(D) notification by no more than the following:

Sulfur content:	5 parts per million
Benzene content:	0.06 volume percent
Olefin content:	0.1 volume percent
Aromatic hydrocarbon content:	1.0 volume percent

b. Maintaining oxygenate samples for use in compliance testing. A producer or importer who is specifying the properties of the oxygenate used in a final blend of CARBOB in accordance with the preceding section (a)(2)(D)3.a. must maintain at the production or import facility, while the final blend is at the facility, oxygenate meeting the required specifications in quantities that are sufficient to enable state board inspectors to use the oxygenate in compliance determinations.

(E) Protocol for determining whether a final blend of CARBOB complies with the standards for California gasoline. The executive officer may enter into a written protocol with any individual producer or importer for the purpose of specifying a alternative method for determining whether a final blend of CARBOB complies with the standards for California gasoline, as long as the executive officer reasonably determines that application of the protocol is not less stringent or enforceable than application of the express terms of section (a)(2)(A)–(D). Any such protocol shall include the producer's or importer's agreement to be bound by the terms of the protocol.

(3) Calculating the volume of a final blend of CARBOB. Where a producer or importer has designated a final blend as CARBOB and has complied with all applicable provisions of this section 2266.5, the volume of the final blend shall be calculated for all purposes under section 2264 by adding the minimum designated amount of the oxygenate having the smallest volume designated by the producer or importer. If the producer or importer has not complied with any applicable provisions of this section 2266.5, the volume of the final blend for purposes of the refiner or producer's compliance with sections 2262, 2262.3, 2262.4, 2262.5, 2262.6, 2265 and 2266 shall be calculated without adding the amount of oxygenate to the CARBOB.

(4) Specifications for a final blend of CARBOB when the CARBOB model is not being used. A producer or importer who has not elected to use the CARBOB model pursuant to section (a)(2)(B) with regard to a final blend of CARBOB may not sell, offer for sale, supply or offer for sale that final blend of CARBOB from its production facility or import facility where the sulfur, benzene, olefin or aromatic hydrocarbon content of the CARBOB, when multiplied by (1 minus the designated maximum volume percent, expressed as a decimal fraction, that the oxygenate will represent after it is added to the CARBOB), results in a sulfur, benzene, olefin or aromatic hydrocarbon content value exceeding the applicable limit for that property.

(5) Assignment of designated alternative limits for CARBOB and for the oxygenated California gasoline where the producer or importer has elected to use the CARBOB model.

(A) Applicability. This section (a)(5) applies where a producer or importer has elected to have the CARBOB model apply in connection with a final blend of CARBOB which is also subject to an averaging compliance option or a PM averaging compliance option for one or more properties.

(B) Assignment of CARBOB designated alternative limit. The producer or importer may assign a CARBOB designated alternative limit for the final blend of CARBOB by satisfying the notification requirements of section (a)(5)(D). In no case shall a CARBOB designated alternative limit be less than the sulfur, benzene, olefin or aromatic hydrocarbon content, or T90 or T50, of the final blend shown by the sample and test of the CARBOB conducted pursuant to section 2270. The CARBOB designated alternative limit shall be treated as the designated alternative limit under section 2262.3(c)(2), and a violation of section 2262.3(c)(2) will exist when the CARBOB exceeds the CARBOB designated alternative limit.

(C) Determining the designated alternative limit for the final blend after the CARBOB is oxygenated. Whenever a producer or importer has assigned a designated alternative limit for a final blend of CARBOB, the designated alternative limit for the final blend after the CARBOB is oxygenated shall be determined in accordance with the "Procedures for Using the California Model for California Reformulated Gasoline Blendstocks for Oxygenate Blending (CARBOB)," as adopted April 25, 2001. This will be the final blend's designated alternative limit for purposes of compliance with sections 2262.3(c)(3) and 2264(b) and (c).

(D) Notification. The producer or importer shall notify the executive officer of the CARBOB designated alternative limit, the designated alternative limit for the final blend after it is oxygenated, and all other information identified in section 2264(a)(2)(A), within the time limits set forth in section 2264(a)(2)(A) and subject to section 2264(a)(3) and (4).

(6) Determining whether downstream CARBOB complies with the cap limits for California gasoline.

(A) Determining whether downstream CARBOB complies with the cap limits for California gasoline through the use of CARBOB cap limits derived from the CARBOB Model. Whenever downstream CARBOB designated for ethanol blending has already been supplied from its production or import facility, the CARBOB's compliance with the cap limits for California gasoline may be determined by applying the CARBOB cap limits in the following table:

Property	*CARBOB Cap Limits*	
	CaRFG2	*CaRFG3*
Reid Vapor Pressure[1] (pounds per square inch)	5.78	5.99
Sulfur Content (parts per million by weight)	89	66[2] 32[2]
Benzene Content (percent by volume)	1.33	1.22
Aromatics Content (percent by volume)	33.1	38.7
Olefins Content (percent by volume)	11.1	11.1
T50 (degrees Fahrenheit)	232[3] 237[3]	232[3] 237[3]
T90 (degrees Fahrenheit)	335	335

[1] The Reid vapor pressure standards apply only during the warmer weather months identified in section 2262.4.

[2] The CaRFG Phase 3 CARBOB cap limits for sulfur are phased in starting December 31, 2002, and December 31, 2004, in accordance with section 2261(b)(1)(A).
[3] The first number applies to CARBOB that is subject to the Reid vapor pressure standard pursuant to section 2262.4, and the second number applies to CARBOB that is not subject to the Reid vapor pressure standard.

(B) Determining whether downstream CARBOB complies with the cap limits for California gasoline by oxygenate blending and testing. Whenever downstream CARBOB designated for ethanol blending has already been supplied from its production or import facility, the CARBOB's compliance with the cap limits for California gasoline may be determined by adding the specified type and amount of oxygenate to a representative sample of the CARBOB and determining the properties and characteristics of the resulting gasoline in accordance with an applicable test method identified in section 2263(b) or permitted under section 2263(c). Where the CARBOB has been designated for a range of amounts of oxygenate, or more than one oxygenate type, to be added, the minimum designated amount of the oxygenate having the smallest designated volume is to be added to the CARBOB when determining the properties and characteristics of the final blend. However, where the designated range for oxygen from ethanol is between 1.8 wt.% and 2.2 wt.% and includes 2.0 wt.%, 5.7 vol.% ethanol shall be added, and where the designated range for oxygen from ethanol is between 2.5 wt.% and 2.9 wt.% and includes 2.7 wt.%, 7.7 vol.% ethanol shall be added. Denatured ethanol used as the oxygenate must have the properties set forth in section (a)(2)(D)2.

(C) Protocols. A person may enter into a protocol with the executive officer for the purpose of identifying more stringent specifications for the denatured ethanol used pursuant to section (a)(6)(B), or different CARBOB cap limits under section (a)(6)(A), if the executive officer reasonably determines that the specifications or cap limits are reasonably premised on the person's program to assure that the denatured ethanol added to the CARBOB by oxygenate blenders will meet the more stringent specifications.

(b) Notification to ARB regarding the supply of CARBOB from the facility at which it was produced or imported.

(1) A producer or importer supplying a final blend of CARBOB from the facility at which the producer or importer produced or imported the CARBOB must notify the executive officer of the information set forth below, along with any information required under section 2265(a)(2) (for a PM alternative gasoline formulation) or 2266(c) (for a test-certified alternative gasoline formulation). The notification must be received by the executive officer before the start of physical transfer of the final blend of CARBOB from the production or import facility, and in no case less than 12 hours before the producer or importer either completes physical transfer or commingles the final blend.

(A) The identity and location of the final blend;

(B) The designation of the final blend as CARBOB;

(C) If the producer or importer is electing to use the CARBOB model to determine whether the final blend complies with the standards applicable to California gasoline when it is supplied from the production facility or import facility, a statement of that election and

1. Each of the CARBOB limits that will apply to the final blend for properties not subject to the averaging compliance option or the PM averaging compliance option; and

2. For any property subject to the averaging compliance option or the PM averaging compliance option, the averaging or PM averaging limit for the CARBOB (the CARBOB is subject to this limit only if no designated alternative limit is assigned to the CARBOB pursuant to section 2266.5(a)(5)(B));

(D) If the producer or importer is specifying, pursuant to section (a)(2)(D)3., the properties of the oxygenate to be added downstream by the oxygenate blender, a statement of that election, the type of oxygenate, and the oxygenate's specifications for the following properties:

Maximum sulfur content (nearest part per million by weight)

Maximum benzene content (nearest hundredth of a percent by volume)

Maximum olefin content (nearest tenth of a percent by volume)

Maximum aromatic hydrocarbon content (nearest tenth of a percent by volume)

(E) The designation of each oxygenate type or types and amount or range of amounts to be added to the CARBOB, and the applicable flat limit, PM alternative specification, or TC alternative specification for oxygen. The amount or range of amounts of oxygenate to be added shall be expressed as a volume percent of the gasoline after the oxygenate is added, in the nearest tenth of a percent. For any final blend of CARBOB except one that is subject to PM alternative specifications or TC alternative specifications, the amount of oxygenate to be added must be such that the resulting California gasoline will have a minimum oxygen content no lower than 1.8 percent by weight and a maximum oxygen content no greater than 2.2 percent by weight. For a final blend of CARBOB that is subject to PM alternative specifications, the amount or range of amounts of oxygenate to be added must be such that the resulting California gasoline has an oxygen content that meets the oxygen content PM alternative specification for the final blend. For a final blend of CARBOB that is subject to TC alternative specifications, the amount or range of amounts of oxygenate to be added must be such that the resulting California gasoline has an oxygen content that meets the oxygen content alternative specification for the final blend:

(2) Applicability of notification to subsequent final blends. The notification a producer or importer provides pursuant to section (b)(1)(B), (C), (D) and (E) for a final blend of CARBOB shall apply to all subsequent final blends of CARBOB or California gasoline supplied by the producer or importer from the same production or import facility until the producer or importer designates a final blend at that facility as either (i) California gasoline rather than CARBOB, or (ii) CARBOB subject to a new notification made pursuant to section (b)(1).

(3) Allowance of late notifications. If, through no intentional or negligent conduct, a producer or importer cannot report within the time period specified in (b)(1) above, the producer or importer may notify the executive officer of the required data as soon as reasonably possible and may provide a written explanation of the cause of the delay in reporting. If, based on the written explanation and the surrounding circumstances, the executive officer determines that the conditions of this section (b)(3) have been met, timely notification shall be deemed to have occurred.

(4) Protocols. The executive officer may enter into a written protocol with any individual producer or importer for the purpose of specifying how the requirements in section (b)(1) shall be applied to the producer's or importer's particular operations, as long as the executive officer reasonably determines that application of the regulatory requirements under the protocol is not less stringent or enforceable than application of the express terms of section (b)(1). Any such protocol shall include the producer's or importer's agreement to be bound by the terms of the protocol.

(c) Sampling, testing and recordkeeping by importers of CARBOB.

(1) When sampling and testing is required. Each importer of CARBOB shall sample and test for the sulfur, aromatic hydrocarbon, olefin, oxygen and benzene content, T50, T90, and, during the regulatory control periods identified in section 2262.4(a)(2) and (b)(2), the Reid vapor pressure, of each final blend of CARBOB which the importer has imported by tankship, pipeline, railway tankcars, trucks and trailers, or other means, by collecting and analyzing a representative sample of CARBOB taken from the final blend at its import facility. An importer who is electing to use the CARBOB model in determining compliance shall analyze the CARBOB without adding oxygenate. In all other cases, the importer shall oxygenate and analyze the CARBOB in accordance with section (a)(2)(C).

(2) Maintaining records. Each importer required to sample and analyze a final blend of CARBOB pursuant to this section (c) shall maintain, for two years from the date of each sampling, records showing the sample date, identify of blend or product sampled, container or other vessel sampled, the final blend volume, and the sulfur, aromatic hydrocarbon, olefin, oxygen and benzene content, T50, T90, and Reid vapor pressure as determined in accordance with section (a)(2). All CARBOB imported

by the importer and not tested as required by this section shall be deemed to have a Reid vapor pressure, sulfur, aromatic hydrocarbon, olefin, oxygen and benzene content, T50 and T90 exceeding the applicable flat limit or averaging limit standards specified in section 2262, unless the importer demonstrates that the CARBOB meets those standards and limit(s).

(3) Production of records. An importer shall provide to the executive officer any records required to be maintained by the importer pursuant to this section (c) within 20 days of a written request from the executive officer if the request is received before expiration of the period during which the records are required to be maintained. Whenever an importer fails to provide records regarding a final blend of CARBOB in accordance with the requirements of this section, the final blend of CARBOB shall be presumed to have been sold by the importer in violation of the applicable flat limit or averaging limit standards and compliance requirements in sections 2262, 2262.3(b) or (c), 2262.4(b), or 2262.5(c), unless the importer demonstrates that the CARBOB meets those standards and limit(s).

(4) Protocols. The executive officer may enter into a protocol with any importer for the purpose of specifying alternative sampling, testing, recordkeeping, or reporting requirements which shall satisfy the provisions of sections (c)(1) or (c)(2). The executive officer may only enter into such a protocol if s/he reasonably determines that application of the regulatory requirements under the protocol will be consistent with the state board's ability effectively to enforce the provisions of sections 2262, 2262.3(b) or (c), 2262.4(b), or 2262.5(c), and the PM averaging limit(s). Any such protocol shall include the importer's agreement to be bound by the terms of the protocol.

(d) Documentation required when CARBOB is transferred.

(1) Required Documentation. On each occasion when any person transfers custody or title of CARBOB, the transferor shall provide the transferee a document that prominently:

(A) States that the CARBOB does not comply with the standards for California gasoline without the addition of oxygenate,

(B) Identifies the applicable flat limit, PM alternative specification, or TC alternative specification for oxygen, and

(C) Identifies, consistent with the notification made pursuant to section (b), the oxygenate type or types and amount or range of amounts that must be added to the CARBOB to make it comply with the standards for California gasoline. Where the producer or importer of the CARBOB has elected to specify the properties of the oxygenate pursuant to section (b)(1)(D), the document must also prominently identify the maximum permitted sulfur, benzene, olefin and aromatic hydrocarbon contents — not to exceed the maximum levels in the section (b)(1)(D) notification — of the oxygenate to be added to the CARBOB.

(2) Compliance by pipeline operator. A pipeline operator may comply with this requirement by the use of standardized product codes on pipeline tickets, where the code(s) specified for the CARBOB is identified in a manual that is distributed to transferees of the CARBOB and that sets forth all of the required information for the CARBOB.

(e) Restrictions on transferring CARBOB.

(1) Required agreement by transferee. No person may transfer ownership or custody of CARBOB to any other person unless the transferee has agreed in writing with the transferor that either:

(A) The transferee is a registered oxygenate blender and will add oxygenate of the type(s) and amount (or within the range of amounts) designated in accordance with section (b) before the CARBOB is transferred from a final distribution facility, or

(B) The transferee will take all reasonably prudent steps necessary to assure that the CARBOB is transferred to a registered oxygen blender who adds the type and amount (or within the range of amounts) of oxygenate designated in accordance with section (b) to the CARBOB before the CARBOB is transfered from a final distribution facility.

(2) Prohibited sales of CARBOB from a final distribution facility. No person may sell or supply CARBOB from a final distribition facility where the type and amount or range of amounts of oxygenate designated in accordance with section (b) has not been added to the CARBOB.

(f) Restrictions on blending CARBOB with other products.

(1) Basic prohibition. No person may combine any CARBOB that has been supplied from the facility at which it was produced or imported with any other CARBOB, gasoline, blendstock or oxygenate, except:

(A) The specified oxygenate.

1. The CARBOB may be blended with oxygenate of the type and amount (or within the range of amounts) specified by the producer or importer at the time the CARBOB was supplied from the production or import facility.

2. Where ethanol is the specified oxygenate and specifications for the ethanol are identified in the product transfer document for the CARBOB pursuant to section 2266.5(d)(1)(C), only ethanol meeting those specifications may be combined with the CARBOB.

3. Where ethanol is the specified oxygenate and specifications for the ethanol are not identified, only ethanol meeting the standards in section 2262.9(a) may be combined with the CARBOB.

(B) Identically–specified CARBOB. The CARBOB may be blended with other CARBOB for which the same oxygenate type, and the same amount (or range of amounts) of oxygen, was specified by the producer or importer at the time the CARBOB was supplied from the production or import facility. However, where specifications for the denatured ethanol to be added to the CARBOB have been established pursuant to section 2266.5(a)(2)(D)3, it may only be blended with other CARBOB for which the same denatured ethanol specifications have been set.

(C) CARBOB specified for different oxygen level. Where a person is changing from an initial to a new type of CARBOB stored in a storage tank at a terminal or bulk plant, and the conditions below are met; in this case, the CARBOB in the tank after the new type of CARBOB is added will be treated as that new type of CARBOB.

1. The change in service is for legitimate operational reasons and is not for the purpose of combining the different types of CARBOB;

2. The initial and new CARBOBs are designated for blending with different amounts (or ranges of amounts) of oxygen, and the change in oxygen content will not exceed 1.1 weight percent of the oxygenated gasoline blend;

3. The volume of the new CARBOB that is added to the tank is at least four times as large as the volume of the initial CARBOB in the tank, and

4. The sulfur content of the new CARBOB added to the tank is no more than 12 parts per million.

(D) California gasoline not subject to RVP standard. Where a person is changing from California gasoline to CARBOB as the product stored in a storage tank at a terminal or bulk plant and the conditions below are met; in this case the product in the tank, pipe or manifold after the new product is added will be treated as the new type of product.

1. The change in service is for legitimate operational reasons and is not for the purpose of combining the California gasoline and CARBOB and

2. The resulting blend of product in the tank is supplied from the terminal or bulk plant during a time that it is not subject to the standards for Reid vapor pressure under section 2262.4.

(2) Protocols. Notwithstanding section (f)(1), the executive officer may enter into a written protocol with any person to identify conditions under which the person may lawfully combine CARBOB with California gasoline or other CARBOB during a changeover in service of a storage tank for a legitimate operational business reason. The executive officer may only enter into such a protocol if he or she reasonably determines that commingling of the two products will be minimized as much as is reasonably practical. Any such protocol shall include the person's agreement to be bound by the terms of the protocol.

(g) Requirements for oxygenate blenders.

(1) Registration and Certification.

(A) Registration. Any oxygen blender must register with the executive officer by March 1, 1996, or at least 20 days before blending oxygenates

with CARBOB, whichever occurs later. Thereafter, an oxygenate blender must register with the executive officer annually by January 1. The registration must be addressed to he attention of the Chief, Compliance Division, California Air Resources Board, P.O. Box 2815, Sacramento, CA, 95812.

(B) Required contents of registration. The registration must include the following:

1. The oxygen blender's contact name, telephone number, principal place of business which shall be a physical address and not a post office box, and any other place of business at which company records are maintained.

2. For each of the oxygen blender's oxygenate blending facilities, the facility name, physical location, contact name, and telephone number.

(C) Issuance of certificate. The executive officer shall provide each complying oxygen blender with a certificate of registration compliance no later than June 30. The certification shall be effective from no later than July 1, through June 30 of the following year. The certification shall constitute the oxygen blender's certification pursuant to Health and Safety Code section 43021.

(D) Submittal of updated information. Any oxygen blender must submit updated registration information to the executive officer at the address identified in section (g)(1)(A) within 30 days of any occasion when the registration information previously supplied becomes incomplete or inaccurate.

(2) Requirement to add oxygenate to CARBOB. Whenever an oxygenate blender receives CARBOB from a transferor to whom the oxygenate blender has represented that he/she will add oxygenate to the CARBOB, the oxygenate blender must add to the CARBOB oxygenate of the type(s) and amount (or within the range of amounts) identified in the documentation accompanying the CARBOB. If the documentation identifies the permitted maximum sulfur, benzene, olefin and aromatic hydrocarbon contents of the oxygenate, the oxygenate blender must add an oxygenate that does not exceed the maximum permitted levels.

(3) Additional requirements for terminal blending. Any oxygenate blender who makes a final blend of California reformulated gasoline by blending any oxygenate with any CARBOB in any gasoline storage tank, other than a truck used for delivering gasoline to retail outlets or bulk purchaser–consumer facilities, shall, for each such final blend, determine the oxygen content and volume of the final blend prior to its leaving the oxygen blending facility, by collecting and analyzing a representative sample of gasoline taken from the final blend, using methodology set forth in section 2263.

(h) Downstream blending of California gasoline with nonoxygenate blendstocks.

(1) Basic prohibition. No person may combine California gasoline which has been supplied from a production or import facility with any nonoxygenate blendstock, other than vapor recovery condensate, unless the person can affirmatively demonstrate that (1) the blendstock that is added to the California gasoline meets all of the California gasoline standards without regard to the properties of the gasoline to which the blendstock is added, and (2) the person meets with regard to the blendstock all requirements in this subarticle applicable to producers of California gasoline.

(2) Exception. Notwithstanding section (i)(1), the executive officer may enter into a written protocol with any person to identify conditions under which the person may lawfully blend transmix into California gasoline which has been supplied from its production or import facility. The executive officer may only enter into such a protocol if he or she reasonably determines that alternatives to the blending are not practical and the blending will not significantly affect the properties of the California gasoline into which the transmix is added. Any such protocol shall include the person's agreement to be bound by the terms of the protocol.

(3) Protocols. Notwithstanding, section (i)(1), a person may add nonoxygenate blendstock to California gasoline that does not comply with one or more of the applicable cap limits contained in section 2262, where the person obtains the prior approval of the executive officer based on a demonstration that adding the blendstock is a reasonable means of bringing the gasoline into compliance with the cap limits.

(i) Restrictions during the RVP season on blending gasoline containing ethanol with California gasoline not containing ethanol.

(1) Basic prohibition. Within each air basin during the Reid vapor pressure cap limit periods specified in section 2262.4(a)(2), no person may combine California gasoline produced using ethanol with California gasoline produced without using ethanol, unless the person can affirmatively demonstrate that: (A) the resulting blend complies with the cap limit for Reid vapor pressure set forth in section 2262, or (B) the person has taken reasonably prudent precautions to assure that the gasoline is not subject to the Reid vapor pressure cap limit either because of sections 2261(d) or (f) or 2262.4(c)(1) or (c)(3), or because the gasoline is no longer California gasoline.

(2) Exception. Section 2266.5(i)(1) does not apply to combining California gasolines that are in a motor vehicle's fuel tank.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43013.1, 43018 and 43101, Health and Safety Code; and *Western Oil and Gas Ass'n.* v. *Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal. Rptr. 249 (1975). Reference: Sections 39000, 39001, 39002, 39003, 39010, 39500, 39515, 39516, 41511, 43000, 43013, 43013.1, 43016, 43018, 43021 and 43101, Health and Safety Code; and *Western Oil and Gas Ass'n.* v. *Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal. Rptr. 249 (1975).

HISTORY

1. New section filed 2–28–96; operative 2–28–96 pursuant to Government Code section 11343.4(d) (Register 96, No. 9).
2. Editorial correction of subsection (a)(1) (Register 2000, No. 31).
3. Amendment of section and NOTE filed 8–3–2000; operative 9–2–2000 (Register 2000, No. 31).
4. Amendment filed 8–20–2001; operative 8–20–2001 pursuant to Government Code section 11343.4 (Register 2001, No. 34).

§§ 13–2267—13–2293. [Removed]

HISTORY

1. Removal of sections 13–2267—13–2293 from title 26 filed 3–18–96 pursuant to Cal. Code Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 13 (Register 96, No. 12).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 8. Department of Forestry

(Title 14)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 8. Department of Forestry

TABLE OF CONTENTS

Page

Division 8. Department of Forestry 81

§ 14–1422. Polluting Waters.
§ 14–1545. Wildlife Protection.
§ 14–1545.1. Stream and Lake Protection.
§ 14–1545.2. Wet Meadows, Marshes, and Other Wet Areas.
§ 14–1545.4. Hazard Reduction.
§ 14–1545.5. Use of Chemicals.
§ 14–1545.8. Special Treatment Areas.
§ 14–1545.9. Insect Control.
§ 14–1569. Resource Protection Guidelines.
§ 14–1569.1. Wildlife Protection.
§ 14–1569.2. Watercourse and Lake Protection.
§ 14–1569.3. Wet Meadows, Marshes, and Other Wet Areas.
§ 14–1569.5. Use of Chemicals.
§ 14–1569.6. Smoke Management.

Division 8. Department of Forestry

(Title 14)

§ 14–1422. Polluting Waters.

No person shall deposit, permit to pass into, or willingly allow any substance in any spring, stream, lake or other waters within a state forest which will tend to cause said waters to become unfit for human consumption, deleterious to fish and plant life, or which will destroy the aesthetic qualities of the waters. This section includes, but is not limited to, the washing of clothing or other materials, and the disposal of body or other wastes.

§ 14–1545. Wildlife Protection.

(a) Riparian vegetation found along stream and lakes, and within marshes, wet meadows, and other wet areas shall be retained and protected except when managed as part of a fish and wildlife habitat improvement practice and necessary mitigation measures to minimize damage from these practices have been imposed.

(b) All snags within the stream and lake protection zone and all live trees and snags with visible evidence of use as nesting and roosting sites by rare, endangered, or threatened bird species shall be left undisturbed. Participants are encouraged to leave all snags undisturbed.

(c) No practices may be performed on lands designated special treatment areas due to their importance as key habitat for rare and endangered animals or plants unless an environmental evaluation conducted according to 14 CAC 1532.2 indicates that a proposed practice(s) will improve such habitat.

(d) Participants are encouraged to retain some older acorn producing black oaks, create deer forage lanes in brushfields, and plant other vegetation to promote species diversity and improve wildlife habitat when such practices are not in conflict with program goals.

(e) If existing vegetation other than riparian is necessary to maintain stream temperatures, such vegetation shall not be removed.

(f) Domestic water supplies will receive the same review and consideration as that required for special treatment areas.

NOTE: Authority cited: Section 4799.02, Public Resources Code. Reference: Sections 4799 and 4799.01, Public Resources Code.

§ 14–1545.1. Stream and Lake Protection.

(a) Throughout the course of the project, the applicant shall keep all streams and lakes below the stream and lake transition line free of slash, debris, and other material that will harm fish, wildlife, or other beneficial uses of water. Accidental deposits will be removed immediately.

(b) No tractors, trucks, cars, and other machinery shall be serviced adjacent to lakes or streams, or within wet meadows and other wet areas, or in other areas where such servicing will permit grease, oil, or fuel, or other toxic substances to enter lakes or streams or wet areas.

(c) Except when performing fish and wildlife habitat improvement practices or forest land conservation practices, heavy earth–moving equipment working on the project area shall be prohibited from working within 50 feet (15.24 m), slope distance, of the stream or lake transition line. Wider protection zones may be required following an environmental review of the project conducted according to 14 CAC 1532.2.

(d) The participant shall be responsible for complying with applicable sections of the Fish and Game Code and local ordinances.

NOTE: Authority cited: Section 4799.02, Public Resources Code. Reference: Sections 4799 and 4799.01, Public Resources Code.

§ 14–1545.2. Wet Meadows, Marshes, and Other Wet Areas.

No activities shall be permitted in wet meadows, marshes, and other wet areas unless such activities are forest land conservation practices of fish and wildlife habitat improvement practices and necessary mitigation measures to minimize damage from these practices have been imposed.

NOTE: Authority cited: Section 4799.02, Public Resources Code. Reference: Sections 4799 and 4799.01, Public Resources Code.

§ 14–1545.4. Hazard Reduction.

(a) Slash that is created by the project shall be treated by chipping, piling and burning, burying, lopping or otherwise removing as recommended by the area Fire Control Officer.

(b) Any burning shall be in compliance with applicable forest, fire, and pollution regulations.

NOTE: Authority cited: Section 4799.02, Public Resources Code. Reference: Sections 4799 and 4799.01, Public Resources Code.

§ 14–1545.5. Use of Chemicals.

Chemicals used for forest improvement work shall be applied in accordance with all federal, state, and local laws and regulations.

NOTE: Authority cited: Section 4799.02, Public Resources Code. Reference: Sections 4799 and 4799.01, Public Resources Code.

HISTORY

1. Amendment filed 8–31–84; effective thirtieth day thereafter (Register 84, No. 35).

§ 14–1545.8. Special Treatment Areas.

No practice may be performed in special treatment areas except in such cases where the area has been substantially damaged or where the proposed practice will improve the resource values which have prompted the appropriate public agency to designate the area a special treatment area. In any case, an environmental review shall be conducted in the manner set forth in 14 CAC 1532.2 for all projects within special treatment areas.

NOTE: Authority cited: Section 4799.02, Public Resources Code. Reference: Sections 4799 and 4799.01, Public Resources Code.

§ 14–1545.9. Insect Control.

Pre–commercial thinning in Ponderosa Pine and Jeffrey Pine shall be limited to between May 15 and November 1 unless adequate measures are taken to prevent the infestation of the residual stand with IPS and/or dendroctonous beetles.

NOTE: Authority cited: Section 4799.02, Public Resources Code. Reference: Section 4799.01, Public Resources Code.

§ 14–1569. Resource Protection Guidelines.

Resource Protection Guidelines (14 CAC 1569.1, 1569.6) have been established for chaparral management in order to minimize damage from chaparral management practices. These guidelines shall be a part of the management plan submitted by an applicant. The management plan should demonstrate compliance with applicable sections of this article.

NOTE: Authority cited: Section 4475.5(b), Public Resources Code. Reference: Section 4475, Public Resources Code.

§ 14–1569.1. Wildlife Protection.

(a) Riparian vegetation found along streams and lakes and within marshes, wet meadows, and other wet areas, shall be retained and protected except when managed as part of a fish and wildlife habitat improvement practice, and necessary measures to minimize damage from these practices have been implemented.

(b) All live trees and snags with visible evidence of use as nesting and roosting sites by rare, endangered, or threatened bird species, shall be left undisturbed. Participants are encouraged to leave all snags near streams, lakes and meadows undisturbed.

(c) No projects shall be performed on lands known to support populations of state–listed rare and endangered animals or plants unless an environmental review conducted according to 1565.2(a)(4) indicates that the proposed project(s) will improve such habitat.

(d) Participants are encouraged to retain some older, acorn–producing oaks, to create deer forage lanes in brushfields, and to plant other vegetation to promote species diversity and improve wildlife habitat when such practices are not in conflict with program goals.

(e) If existing vegetation, other than riparian species, is necessary to maintain stream temperatures, such vegetation shall not be removed.

NOTE: Authority cited: Section 4475.5(b), Public Resources Code. Reference: Sections 4462, 4467, 4475, 21001(a), (b), (c), (f), 21002, Public Resources Code.

§ 14–1569.2. Watercourse and Lake Protection.

(a) Throughout the course of the project, the applicant shall keep the watercourse and lake protection zone free of slash, debris, and other material that will harm fish, wildlife, or other beneficial uses of water. Accidental deposits shall be removed immediately.

(b) No tractors, trucks, cars, or other machinery shall be serviced adjacent to lakes or watercourses, or within wet meadows and other wet areas, or in other areas where such servicing will permit grease, oil, fuel, or other toxic substances to enter lakes, watercourses, or wet areas.

(c) Except when performing fish and wildlife habitat improvement practices or forest land conservation practices, heavy earth–moving equipment working on the project area shall be prohibited from working within 15.24m (50 feet) slope distance above the watercourse or lake protection zone. Wider protection zones may be required following an environmental review of the project conducted according to 14 CAC 1565.2(a)(4).

(d) The participant shall be responsible for complying with applicable sections of the Fish and Game Code and local ordinances.

(e) The project's impact on domestic water supplies shall be considered during the project design stage.

NOTE: Authority cited: Section 4475.5(b), Public Resources Code. Reference: Sections 4462, 4467, 4475, 21001(a), (b), (c), (f), 21002, Public Resources Code.

§ 14–1569.3. Wet Meadows, Marshes, and Other Wet Areas.

No activities shall be permitted in wet meadows, marshes, and other wet areas unless such activities are forest land conservation practices or fish and wildlife habitat improvement practices, and necessary measures to minimize damage from these practices have been implemented.

NOTE: Authority cited: Section 4475.5(b), Public Resources Code. Reference: Sections 4462, 4467, 4475, 21001(a), (b), (c), (f), 21002, Public Resources Code.

§ 14–1569.5. Use of Chemicals.

The applicant shall assure that all chemicals used for site preparation and follow–up work shall be applied in accordance with all federal, state, and local laws and regulations.

NOTE: Authority cited: Section 4475.5(b), Public Resources Code. Reference: Sections 21001(a), (b), (c), (f), 21002, Public Resources Code; Sections 14006 and 14011, Food and Agricultural Code.

§ 14–1569.6. Smoke Management.

(a) Each project plan shall include a Smoke Management Plan. The Plan shall make provisions to prevent the significant deterioration of air quality through prescribed burning and to direct smoke away from smoke sensitive areas.

(b) The Plan shall follow the guideline and checklist of the Chaparral Management Environmental Impact Report.

(c) Local Air Pollution Control District rules with respect to smoke emissions will be followed.

(d) Each permit shall include the statement: "This permit is valid only on those days during which agricultural burning is not prohibited by the State Air Resources Board or by a district pursuant to Section 41855 of the Health and Safety Code."

(e) Burning shall only be allowed on Burn Days as determined by the Air Resources Board, except on areas declared to be fire hazards.

(f) A permit to burn on No–Burn days may be obtained from an Air Pollution Control District when denial to burn would threaten imminent and substantial economic loss.

(g) On burns prescribed to improve the wildlife habitat, a written statement shall first be obtained by the permittee from the Department of Fish and Game certifying that the burning is desirable and proper for the improvement of land for wildlife or game habitat. This statement shall be provided by the local Fish and Game Officer assigned to the project and will be filed with the local air pollution control officer.

(h) On completion of a burn, a report shall be submitted to the local district or APCO stating the following information:

(1) Date of the burn

(2) Type of vegetation burned

(3) Estimated acreage or tonnage of vegetation burned.

NOTE: Authority cited: Section 4475.5(b), Public Resources Code; Section 13055 and 41801, Health and Safety Code. Reference: Sections 4141, 4142, 21000, 21001(a), (b), (c), (f), and 21002, Public Resources Code.

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 9. Department of Conservation—Division of Oil and Gas

(Title 14)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 9. Department of Conservation—Division of Oil and Gas

TABLE OF CONTENTS

Page

Division 9. Department of Conservation—Division of Oil and Gas 83

§ 14–1724.6. Approval of Underground Injection and Disposal Projects.
§ 14–1724.7. Project Data Requirements.
§ 14–1724.8. Data Required for Cyclic Steam Injection Project Approval.
§ 14–1724.9. Gas Storage Projects.
§ 14–1724.10. Filing, Notification, Operating, and Testing Requirements for Underground Injection Projects.
§ 14–1743. General Requirements.
§ 14–1760. Definitions.
§ 14–1770. Oilfield Sumps.
§ 14–1771. Channels.
§ 14–1773. Tank Settings.
§ 14–1774. Oilfield Facilities and Equipment Maintenance.
§ 14–1775. Oilfield Wastes and Refuse.
§ 14–1776. Well Site and Lease Restoration.
§ 14–1778. Enclosure Specifications.
§ 14–1779. Special Requirements.

Division 9. Department of Conservation—Division of Oil and Gas

(Title 14)

§ 14–1724.6. Approval of Underground Injection and Disposal Projects.

Approval must be obtained from this Division before any subsurface injection or disposal project can begin. This includes all EPA Class II wells and air– and gas–injection wells. The operator requesting approval for such a project must provide the appropriate Division district deputy with any data that, in the judgment of the Supervisor, are pertinent and necessary for the proper evaluation of the proposed project.

NOTE: Authority cited: Section 3106, Public Resources Code. Reference: Section 3106, Public Resources Code.

HISTORY

1. New section filed 2–17–78; effective thirtieth day thereafter (Register 78, No. 7).
2. Amendment filed 12–28–84; effective thirtieth day thereafter (Register 84, No. 52).
3. Change without regulatory effect amending section filed 12–26–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

§ 14–1724.7. Project Data Requirements.

(Note: See Section 1724.8 for special requirements for cyclic steam projects, and Section 1724.9 or supplementary requirements for gas storage projects.)

The data required to be filed with the district deputy include the following, where applicable:

(a) An engineering study, including but not limited to:

(1) Statement of primary purpose of the project.

(2) Reservoir characteristics of each injection zone, such as porosity, permeability, average thickness, areal extent, fracture gradient, original and present temperature and pressure, and original and residual oil, gas, and water saturations.

(3) Reservoir fluid data for each injection zone, such as oil gravity and viscosity, water quality, and specific gravity of gas.

(4) Casing diagrams, including cement plugs, and actual or calculated cement fill behind casing, of all idle, plugged and abandoned, or deeper–zone producing wells within the area affected by the project, and evidence that plugged and abandoned wells in the area will not have an adverse effect on the project or cause damage to life, health, property, or natural resources.

(5) The planned well–drilling and plugging and abandonment program to complete the project, including a flood–pattern map showing all injection, production, and plugged and abandoned wells, and unit boundaries.

(b) A geologic study, including but not limited to:

(1) Structural contour map drawn on a geologic marker at or near the top of each injection zone in the project area.

(2) Isopachous map of each injection zone or subzone in the project area.

(3) At least one geologic cross section through at least one injection well in the project area.

(4) Representative electric log to a depth below the deepest producing zone (if not already shown on the cross section), identifying all geologic units, formations, freshwater aquifers, and oil or gas zones.

(c) An injection plan, including but not limited to:

(1) A map showing injection facilities.

(2) Maximum anticipated surface injection pressure (pump pressure) and daily rate of injection, by well.

(3) Monitoring system or method to be utilized to ensure that no damage is occurring and that the injection fluid is confined to the intended zone or zones of injection.

(4) Method of injection.

(5) List of proposed cathodic protection measures for plant, lines, and wells, if such measures are warranted.

(6) Treatment of water to be injected.

(7) Source and analysis of the injection liquid.

(8) Location and depth of each water–source well that will be used in conjunction with the project.

(d) Copies of letters of notification sent to offset operators.

(e) Other data as required for large, unusual, or hazardous projects, for unusual or complex structures, or for critical wells. Examples of such data are: isogor maps, water–oil ratio maps, isobar maps, equipment diagrams, and safety programs.

(f) All maps, diagrams and exhibits required in Section 1724.7(a) through (e) shall be clearly labeled as to scale and purpose and shall clearly identify wells, boundaries, zones, contacts, and other relevant data.

NOTE: Authority cited: Sections 3013 and 3106, Public Resources Code. Reference: Section 3106, Public Resources Code.

HISTORY

1. New section filed 2–17–78; effective thirtieth day thereafter (Register 78, No. 7).
2. Amendment filed 12–28–84; effective thirtieth day thereafter (Register 84, No. 52).
3. Change without regulatory effect amending subsections (a)(4)–(5) filed 9–3–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 36).

§ 14–1724.8. Data Required for Cyclic Steam Injection Project Approval.

The data required by the Division prior to approval of a cyclic steam (steam soak) project include, but are not limited to, the following:

(a) A letter from the operator notifying the Division of the intention to conduct cyclic steam injection operations on a specific lease, in a specific reservoir, or in a particular well.

(b) If cyclic steam injection is to be in wells adjacent to a lease boundary, a copy of a letter notifying each offset operator of the proposed project.

NOTE: Authority cited: Sections 3013 and 3106, Public Resources Code. Reference: Section 3106, Public Resources Code.

HISTORY

1. New section filed 2–17–78; effective thirtieth day thereafter (Register 78, No. 7).
2. Amendment filed 12–28–84; effective thirtieth day thereafter (Register 84, No. 52).
3. Change without regulatory effect amending section filed 12–26–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

§ 14–1724.9. Gas Storage Projects.

The data required by the Division prior to approval of a gas storage project include all applicable items listed in Section 1724.7(a) through (e), and the following, where applicable:

(a) Characteristics of the cap rock, such as areal extent, average thickness, and threshold pressure.

(b) Oil and gas reserves of storage zones prior to start of injection, including calculations.

(c) List of proposed surface and subsurface safety devices, tests, and precautions to be taken to ensure safety of the project.

(d) Proposed waste water disposal method.

NOTE: Authority cited: Sections 3013 and 3106, Public Resources Code. Reference: Section 3106, Public Resources Code.

HISTORY

1. New section filed 2–17–78; effective thirtieth day thereafter (Register 78, No. 7).
2. Editorial correction of NOTE filed 12–28–84; effective thirtieth day thereafter (Register 84, No. 52).
3. Change without regulatory effect amending first paragraph filed 12–26–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

§ 14–1724.10. Filing, Notification, Operating, and Testing Requirements for Underground Injection Projects.

(a) The appropriate Division district deputy shall be notified of any anticipated changes in a project resulting in alteration of conditions origi-

nally approved, such as: increase in size, change of injection interval, or increase in injection pressure. Such changes shall not be carried out without Division approval.

(b) Notices of intention to drill, redrill, deepen, or rework, on current Division forms, shall be completed and submitted to the Division for approval whenever a new well is to be drilled for use as an injection well and whenever an existing well is converted to an injection well, even if no work is required on the well.

(c) An injection report on a current Division form or in a computerized format acceptable to the Division shall be filed with the Division on or before the 30th day of each month, for the preceding month.

(d) A chemical analysis of the liquid being injected shall be made and filed with the Division whenever the source of injection liquid is changed, or as requested by the Supervisor.

(e) An accurate, operating pressure gauge or pressure recording device shall be available at all times, and all injection wells shall be equipped for installation and operation of such gauge or device. A gauge or device used for injection–pressure testing, which is permanently affixed to the well or any part of the injection system, shall be calibrated at least every six months. Portable gauges shall be calibrated at least every two months. Evidence of such calibration shall be available to the Division upon request.

(f) All injection piping, valves, and facilities shall meet or exceed design standards for the maximum anticipated injection pressure, and shall be maintained in a safe and leak–free condition.

(g) All injection wells, except steam, air, and pipeline–quality gas injection wells, shall be equipped with tubing and packer set immediately above the approved zone of injection within one year after the effective date of this act. New or recompleted injection wells shall be equipped with tubing and packer upon completion or recompletion. Exceptions may be made when there is:

(1) No evidence of freshwater–bearing strata.

(2) More than one string of casing cemented below the base of fresh water.

(3) Other justification, as determined by the district deputy, based on documented evidence that freshwater and oil zones can be protected without the use of tubing and packer.

(h) Data shall be maintained to show performance of the project and to establish that no damage to life, health, property, or natural resources is occurring by reason of the project. Injection shall be stopped if there is evidence of such damage, or loss of hydrocarbons, or upon written notice from the Division. Project data shall be available for periodic inspection by Division personnel.

(i) To determine the maximum allowable surface injection pressure, a step–rate test shall be conducted prior to sustained liquid injection. Test pressure shall be from hydrostatic to the pressure required to fracture the injection zone or the proposed injection pressure, whichever occurs first. Maximum allowable surface injection pressure shall be less than the fracture pressure. The appropriate district office shall be notified prior to conducting the test so that it may be witnessed by a Division inspector. The district deputy may waive or modify the requirement for a step–rate test if he or she determines that surface injection pressure for a particular well will be maintained considerably below the estimated pressure required to fracture the zone of injection.

(j) A mechanical integrity test (MIT) must be performed on all injection wells to ensure the injected fluid is confined to the approved zone or zones. An MIT shall consist of a two–part demonstration as provided in subsections (j)(1) and (2).

(1) Prior to commencing injection operations, each injection well must pass a pressure test of the casing–tubing annulus to determine the absence of leaks. Thereafter, the annulus of each well must be tested at least once every five years; prior to recommencing injection operations following the repositioning or replacement of downhole equipment; or whenever requested by the appropriate Division district deputy.

(2) When required by subsection (j) above, injection wells shall pass a second demonstration of mechanical integrity. The second test of a two–part MIT shall demonstrate that there is no fluid migration behind the casing, tubing, or packer.

(3) The second part of the MIT must be performed within three (3) months after injection has commenced. Thereafter, water–disposal wells shall be tested at least once each year; waterflood wells shall be tested at least once every two years; and steamflood wells shall be tested at least once every five years. Such testing for mechanical integrity shall also be performed following any significant anomalous rate or pressure change, or whenever requested by the appropriate Division district deputy. The MIT schedule may be modified by the district deputy if supported by evidence documenting good cause.

(4) The appropriate district office shall be notified before such tests/surveys are made, as a Division inspector may witness the operations. Copies of surveys and test results shall be submitted to the Division within 60 days.

(k) Additional requirements or modifications of the above requirements may be necessary to fit specific circumstances and types of projects. Examples of such additional requirements or modifications are:

(1) Injectivity tests.

(2) Graphs of time vs. oil, water, and gas production rates, maintained for each pool in the project and available for periodic inspection by Division personnel.

(3) Graphs of time vs. tubing pressure, casing pressure, and injection rate maintained for each injection well and available for periodic inspection by Division personnel.

(4) List of all observation wells used to monitor the project, indicating what parameter each well is monitoring (i.e., pressure, temperature, etc.), submitted to the Division annually.

(5) List of all injection–withdrawal wells in a gas storage project, showing casing–integrity test methods and dates, the types of safety valves used, submitted to the Division annually.

(6) Isobaric maps of the injection zone, submitted to the Division annually.

(7) Notification of any change in waste disposal methods.

NOTE: Authority cited: Section 3013, Public Resources Code. Reference: Section 3106, Public Resources Code.

HISTORY

1. New section filed 2–17–78; effective thirtieth day thereafter (Register 78, No. 7).
2. Amendment filed 6–30–80; effective thirtieth day thereafter (Register 80, No. 27).
3. Editorial correction of NOTE filed 12–28–84; effective thirtieth day thereafter (Register 84, No. 52).
4. Amendment of subsection (j), new subsections (j)(1)–(4) and amendment of NOTE filed 8–4–95; operative 9–3–95 (Register 95, No. 31).
5. Change without regulatory effect amending subsection (i) filed 9–3–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 36).
6. Change without regulatory effect amending section filed 12–26–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

§ 14–1743. General Requirements.

(a) It is understood that this Division's approval of operations is contingent upon the continual fulfillment of all marine and pollution control requirements established by the U. S. Coast Guard and the State of California.

(b) All operations are to be conducted in a proper and workmanlike manner in accordance with good oil field practice.

(c) All installations shall comply with applicable provisions of Safety Orders of the State Division of Industrial Safety, including the Petroleum Safety Orders, the General Industry Safety Orders and the Unfired Pressure Vessel Safety Orders.

(d) An approved oil spill contingency plan that includes provisions for rapid deployment of containment and recovery equipment shall be in ef-

feet, and a copy of the plan shall be on file with this Division prior to commencing operations.

(e) An approved plan for blowout prevention and control, "kick control plan," including provisions for duties, training, supervision, and schedules for testing equipment and drills, shall be on file with the Division prior to commencing operations.

(f) Tubing, casing, or annulus open to an oil or gas zone shall be sealed off or equipped with a device to shut it in at the surface.

(g) A copy of the operator's proposals on Division forms and subsequent approval of proposed operations by the Division shall be available at the wellsite throughout such operations.

(h) Operators shall give adequate prior notice to the Division's office of the district in which a well is located, of the time for inspections, and tests required by the Division.

(i) Operations shall not deviate from the approved basic program without prior approval of the Division. Additional requirements may be made at that time.

(j) Oil spills or slicks shall be reported to the agencies as specified in the California Oil Spill Disaster Contingency Plan and in the National Oil Hazardous Substances Pollution Contingency Plan.

(k) Blowouts, fires, hazardous gas leaks, disasters, major accidents, or similar incidents on or emanating from an oil or gas drilling, producing, or treating facility shall be reported to the Division immediately.

NOTE: Authority cited: Section 3106, Public Resources Code. Reference: Section 3203, Public Resources Code.

HISTORY

1. Amendment of subsection (k) filed 4–1–76; effective thirtieth day thereafter (Register 76, No. 14).
2. Amendment of subsection (i) filed 2–13–81 as procedural and organizational; effective upon filing (Register 81, No. 7).
3. Change without regulatory effect amending section filed 12–26–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

§ 14–1760. Definitions.

The following definitions are applicable to this subchapter:

(a) "Catch basin" means a dry sump that is constructed to protect against unplanned overflow conditions.

(b) "Designated waterways" means any named perennial or ephemeral waterways or any perennial waterways shown as solid blue lines on United States Geological Survey topographic maps and any ephemeral waterways that the Supervisor determines to have a direct impact on perennial waterways.

(c) "Evaporation sump" means a sump containing fresh or saline water which can properly be used to store such waters for evaporation.

(d) "Environmentally sensitive pipeline" means any of the following:

(1) A pipeline located within 300 feet of any public recreational area, or a building intended for human occupancy that is not necessary to the operation of the production operation, such as residences, schools, hospitals, and businesses.

(2) A pipeline located within 200 feet of any officially recognized wildlife preserve or environmentally sensitive habitat that is designated on a United States Geological Survey topographic map, designated waterways, or other surface waters such as lakes, reservoirs, rivers, canals, creeks, or other water bodies that contain water throughout the year.

(3) A pipeline located within the coastal zone as defined in Section 30103(b) of the Public Resources Code.

(4) Any pipeline for which the Supervisor determines there may be a significant potential threat to life, health, property, or natural resources in the event of a leak, or that has a history of chronic leaks.

(e) "Field" means the general surface area that is underlain or reasonably appears to be underlain by an underground accumulation of crude oil or natural gas, or both. The surface area is delineated by the administrative boundaries shown on maps maintained by the Supervisor.

(f) "Gathering line" means a pipeline (independent of size) that transports liquid hydrocarbons between any of the following: multiple wells, a testing facility, a treating and production facility, a storage facility, or a custody transfer facility.

(g) "Operations sump" means a sump used in conjunction with a drilling or workover rig during the period of time a well is being drilled or reworked.

(h) "Pipeline" means a tube, usually cylindrical, with a cross sectional area greater than 0.8 square inches (1 inch nominal diameter), through which crude oil, liquid hydrocarbons, combustible gases, and/or produced water flows from one point to another within the administrative boundaries of an oil or gas field. Pipelines under the State Fire Marshal jurisdiction, as specified by the Elder Pipeline Safety Act of 1981 (commencing with § 51010 of the Government Code, and the regulations promulgated thereunder) are exempt from this definition.

(i) "Sump" means an open pit or excavation serving as a receptacle for collecting and/or storing fluids such as mud, hydrocarbons, or waste waters attendant to oil or gas field drilling or producing operations.

(j) "Urban area" means a cohesive area of at least twenty–five business establishments, residences, or combination thereof, the perimeter of which is 300 feet beyond the outer limits of the outermost structures.

(k) "Urban pipeline" means that portion of any pipeline within an urban area as defined in this section.

(*l*) "Waste water" means produced water that after being separated from the produced oil may be of such quality that discharge requirements need to be set by a California Regional Water Quality Control Board.

NOTE: Authority cited: Sections 3013 and 3782, Public Resources Code. Reference: Sections 3106 and 3782, Public Resources Code.

HISTORY

1. Amendment filed 10–21–82; effective thirtieth day thereafter (Register 82, No. 43).
2. Amendment of subsection (f) and NOTE filed 8–4–95; operative 9–3–95 (Register 95, No. 31).
3. New subsections (b), (d)–(f), (h) and (k) and subsection relettering filed 7–22–98; operative 8–21–98 (Register 98, No. 30).
4. Change without regulatory effect amending subsection (a) filed 2–16–2000 pursuant to section 100, title 1, California Code of Regulations (Register 2000, No. 7).
5. Change without regulatory effect amending subsections (b) and (d)(4) filed 12–26–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

§ 14–1770. Oilfield Sumps.

(a) Location. Sumps for the collection of waste water or oil shall not be permitted in natural drainage channels. Contingency catch basins may be permitted, but they shall be evacuated and cleaned after any spill. Unlined evaporation sumps, if they contain harmful waters, shall not be located where they may be in communication with freshwater–bearing aquifers.

(b) Construction. Sumps shall be designed, constructed, and maintained so as to not be a hazard to people, livestock, or wildlife including birdlife.

(1) To protect people, sumps in urban areas shall be enclosed in accordance with Section 1778 (a) or (e) and (c).

(2) In non–urban areas, to protect people and livestock and to deter wildlife, an enclosure shall be constructed around sumps in accordance with Section 1778 (b) or (e).

(3) Any sump, except an operations sump, which contains oil or a mixture of oil and water shall be covered with screening to restrain entry of wildlife in accordance with Section 1778(d).

(4) A sump need not be individually fenced if the property or the production facilities of which the sump is a part is enclosed by proper perimeter fencing.

NOTE: Authority cited: Sections 3013, 3106 and 3782, Public Resources Code. Reference: Sections 3106 and 3783, Public Resources Code.

HISTORY

1. Amendment filed 10–21–82; effective thirtieth day thereafter (Register 82, No. 43).

§ 14–1771. Channels.

Open unlined channels and ditches shall not be used to transport waste water which is harmful to underlying freshwater deposits. Oil or water containing oil shall not be transported in open unlined channels or ditches unless provisions are made so that they are not a hazard as determined by the Supervisor.

NOTE: Authority cited: Sections 3013 and 3106, Public Resources Code. Reference: Section 3106, Public Resources Code.

HISTORY

1. New NOTE filed 10–21–82; effective thirtieth day thereafter (Register 82, No. 43).
2. Change without regulatory effect amending section filed 12–26–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

§ 14–1773. Tank Settings.

Tank settings in areas where damage to life, health, property, or natural resources might occur as a result of leakage, shall have a method for control of the spilled fluid and detection of tank–bottom leaks. This may be accomplished by employing a combination of the following containment and detection methods:

(a) For containment:

(1) A drainage system for safe fluid containment.

(2) Diversion walls to direct fluids to a preferred collection point.

(3) Dikes or fire walls capable of containing the volume of the largest tank. Tank settings in urban areas shall have dikes.

(b) For leak detection:

(1) A tank installation that allows the exterior surface, including the bottom of the tank and connection piping, to be monitored by direct viewing.

(2) A tank foundation of concrete or gravel.

(3) A tank bottom leak detection system.

NOTE: Authority cited: Section 3013, Public Resources Code. Reference: Section 3106, Public Resources Code.

HISTORY

1. Amendment of subsection (c) filed 10–21–82; effective thirtieth day thereafter (Register 82, No. 43).
2. Amendment of section and NOTE filed 8–4–95; operative 9–3–95 (Register 95, No. 31).
3. Change without regulatory effect amending subsections (a)(1)–(3) designators filed 9–3–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 36).

§ 14–1774. Oilfield Facilities and Equipment Maintenance.

(a) Well cellars shall be covered and kept drained. Grating or flooring shall be installed and maintained in good condition so as to exclude people and animals. Cellars should be protected from as much runoff water as practical.

(b) Production facilities, including but not limited to, tanks, pipelines, flowlines, wellheads, and separators shall be maintained in a manner to prevent leakage.

(c) Other production facilities and equipment, including but not limited to pumping units, compressors, tanks, and skimming devices, shall be installed and maintained properly for the protection of people, wildlife, and domestic animals.

(d) All equipment and facilities in urban areas shall be enclosed individually or with perimeter fencing in accordance with the provisions of Section 1778 (a) and (e) where it is necessary to protect life and property. Enclosures in nonurban areas shall be constructed in accordance with Section 1778 (a) or (b) where necessary to protect life and property.

(e) Pipelines shall be designed, constructed, tested, operated, and maintained in accordance with good oil field practice and applicable standards, such as the American Petroleum Institute (API) (API Rec. Prac. 1110, 3rd Ed., Dec. 1991, and API Spec. effective 1990) or American Society for Testing and Materials (ASTM) (ASTM Designation Stand. Spec., 1991), Code of Federal Regulations 49, Part 192, or other applicable standards for the transportation of oil, gas, produced water, and other fluids.

Good oilfield practice includes, but is not limited to:

(1) Utilization of preventative methods such as cathodic protection and corrosion inhibitors, as appropriate, to minimize external and internal corrosion.

(2) Employment, where practical, of equipment such as low–pressure alarms and safety shut–down devices to minimize spill volume in the event of a leak.

(3) Evaluating the applicability of locating any new pipelines or parts of a pipeline system that are being relocated or replaced above ground.

The use of pipe clamps or screw–in plugs are not considered good oilfield practice for permanent repair of pipeline leaks.

(f) All aboveground pipelines shall be inspected visually for leaks and corrosion at least once a year.

(g) The Supervisor may order such tests or inspections deemed necessary to establish the reliability of any pipeline system. Repair, replacement, or cathodic protection may be required.

(h) Maps of all pipelines should be maintained and updated whenever pipelines are installed or removed.

(i) On or before January 1, 1999, all operators of environmentally sensitive pipelines shall prepare a pipeline management plan for all environmentally sensitive pipelines. The plan shall be submitted to the Supervisor for approval and review every five years after the approval date. These plans shall be updated whenever pipelines are installed, altered, the plan becomes obsolete, or at the request of the Supervisor. Pipelines that have been abandoned to the standards specified in Section 1776(f) are exempt from this requirement.

The pipeline management plan shall include the following:

(1) A map showing all active and inactive environmentally sensitive pipelines, including line sizes and any buried line segments. If the location of a buried pipeline is unknown, the most probable location shall be shown.

(2) A listing of available information on each pipeline including, but not limited to: pipeline type, grade, age of pipeline, design and operating pressures, and any available leak, repair, inspection and testing history.

(3) A listing of any safety shutdown devices, corrosion prevention, or corrosion monitoring techniques utilized.

(4) A description of the testing method and schedule for any pipelines indicated in (j) or (k).

(j) After a pipeline management plan is approved, a mechanical integrity test shall be performed on all active environmentally sensitive pipelines that are gathering lines, and all urban pipelines over 4 inches in diameter, every two years. Pipelines less than ten (10) years old are exempt from the two year testing requirement. These tests shall be performed to ensure the pipeline does not present a threat to public health, safety, or the environment by using at least one of the following methods:

(1) Nondestructive testing using ultrasonic or other techniques approved by the Supervisor, to determine wall thickness.

(2) Hydrostatic testing using the guidelines recommended in Publication API RP 1110 (3d Ed., Dec. 1991), Testing of Liquid Petroleum Pipelines, or the method approved by the State Fire Marshal, Pipeline Safety and Enforcement Division.

(3) Internal inspection devices such as a smart pig, as approved by the Supervisor.

(4) Or any other method of ensuring the integrity of a pipeline that is approved by the Supervisor.

Copies of test results shall be maintained in a local office of the operator for six years and made available to the Division, upon request. The operator shall repair and retest or remove from service any pipeline that fails the mechanical integrity test. The Division shall be promptly notified in writing by the operator of any pipeline taken out of service due to a test failure.

(k) A county board of Supervisors, a city council, or another state agency may petition the Supervisor to include other pipelines within their jurisdiction as environmentally sensitive. The request must be in writing and based on findings of a competent, professional evaluation that shows there is a probability of significant public danger or environmental damage if a leak were to occur.

1. Within 30 days of receipt of a petition, the Supervisor shall notify any affected operator.

2. Within 60 days of notification to the operators, the Supervisor shall schedule a hearing with the petitioner and operators to allow all parties to be heard.

3. Within 30 days of the conclusion of the hearing, the Supervisor shall make a determination as to whether the areas or pipelines should be considered environmentally sensitive.

(*l*) Additions and Exemptions

1. The Supervisor may establish additional requirements to Section 1774(i) and (j) to ensure life, health, property, and natural resources are protected adequately.

2. The Supervisor may establish exemptions to the requirements in Section 1774(i) and (j) that will not result in a significant threat to life, health, property, or natural resources.

3. An operator may petition the Supervisor to establish an exemption or addition for any environmentally sensitive pipeline. An operator's petition to exempt a requirement must clearly establish that eliminating the requirement will not impose a significant potential threat to life, health, property, or natural resources.

NOTE: Authority cited: Section 3013, Public Resources Code. Reference: Section 3106, Public Resources Code.

HISTORY

1. Amendment filed 10–21–82; effective thirtieth day thereafter (Register 82, No. 43).
2. Amendment of subsection (b), new subsections (c)–(d), and amendment of newly designated subsections (e)–(f) and NOTE filed 8–4–95; operative 9–3–95 (Register 95, No. 31).
3. Change without regulatory effect amending subsection (d) filed 9–3–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 36).
4. Amendment filed 7–22–98; operative 8–21–98 (Register 98, No. 30).
5. Change without regulatory effect amending section filed 12–26–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

§ 14–1775. Oilfield Wastes and Refuse.

(a) Oilfield wastes, including but not limited to oil, water, chemicals, mud, and cement, shall be disposed of in such a manner as not to cause damage to life, health, property, freshwater aquifers or surface waters, or natural resources, or be a menace to public safety. Disposal sites for oilfield wastes shall also conform to State Water Resources Control Board and appropriate California Regional Water Quality Control Board regulations.

(b) Dumping harmful chemicals where subsequent meteoric waters might wash significant quantities into freshwaters shall be prohibited. Drilling mud shall not be permanently disposed of into open pits. Cement slurry or dry cement shall not be disposed of on the surface.

(c) Unused equipment and scrap attendant to oilfield operations shall be removed from a production or injection operations area and/or stored in such a manner as to not cause damage to life, health, or property, or become a public nuisance or a menace to public safety. Trash and other waste materials attendant to oilfield operations shall be removed and disposed of properly.

NOTE: Authority cited: Section 3013, Public Resources Code. Reference: Section 3106, Public Resources Code.

HISTORY

1. Amendment filed 10–21–82; effective thirtieth day thereafter (Register 82, No. 43).
2. Amendment of subsection (c) and NOTE filed 8–4–95; operative 9–3–95 (Register 95, No. 31).

§ 14–1776. Well Site and Lease Restoration.

(a) In conjunction with well plugging and abandonment operations, any auxiliary holes, such as rat holes, shall be filled with earth and compacted properly; all construction materials, cellars, production pads, and piers shall be removed and the resulting excavations filled with earth and compacted properly to prevent settling; well locations shall be graded and cleared of equipment, trash, or other waste materials, and returned to as near a natural state as practicable. Well site restoration must be completed within 60 days following plugging and abandonment of the well.

(b) Sumps shall be closed in accordance with Regional Water Quality Control Board and Department of Toxic Substances Control requirements.

(c) Unstable slope conditions created during site preparation shall be mitigated in such a manner as to prevent slope collapse.

(d) Access roads to well locations generally will not be covered by these regulations; however, any condition that creates a hazard to public safety or property or causes interference with natural drainage will not be acceptable.

(e) Prior to the plugging and abandonment of the last well or group of wells on a lease, the operator shall submit a plan and schedule for completing lease restoration. The lease–restoration plan shall also include the locations of any existing or previously removed, where known, sumps, tanks, pipelines, and facility settings. Lease restoration must begin within three (3) months and be completed within one year after the plugging and abandonment of the last well(s) on the lease. However, the Supervisor may require or approve a different deadline for lease restoration.

(f) Lease restoration shall include the removal of all tanks, above–ground pipelines, debris, and other facilities and equipment. Remaining buried pipelines shall be purged of oil and filled with an inert fluid. Toxic or hazardous materials shall be removed and disposed of in accordance with Department of Toxic Substances Control requirements.

(g) Upon written request of the operator or property owner, exceptions to this section may be made provided the condition does not create a public nuisance or a hazard to public safety. Exceptions may also be granted by the Supervisor when these requirements conflict with local or federal regulations. If a written request for an exception is received from the operator, consent to the exception from the property owner may be required before it is approved by the Supervisor.

NOTE: Authority cited: Section 3013, Public Resources Code. Reference: Sections 3106 and 3208, Public Resources Code.

HISTORY

1. Amendment filed 2–17–78; effective thirtieth day thereafter (Register 78, No. 7).
2. Amendment filed 6–30–80; effective thirtieth day thereafter (Register 80, No. 27).
3. Amendment filed 10–21–82; effective thirtieth day thereafter (Register 82, No. 43).
4. Amendment of subsections (a)–(c), new subsections (e)–(f) and amendment of newly designated subsection (g) and NOTE filed 8–4–95; operative 9–3–95 (Register 95, No. 31).
5. Change without regulatory effect amending subsection (e) filed 9–3–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 36).
6. Change without regulatory effect amending subsections (e) and (g) filed 12–26–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

§ 14–1778. Enclosure Specifications.

(a) Chain link fences. All chain link fences shall be constructed to meet the following specifications:

(1) Fences shall be not less than 5 feet high and mounted on 1 1/4" diameter steel posts with at least three strands of barbed wire mounted at a 45–degree angle from the top of the fence.

(2) The fence shall be constructed of chain link or other industrial–type fencing of not less than 11–gauge wire and of not greater than 2–inch nominal mesh.

(3) Supporting posts shall be securely anchored to the surface, spaced no more than 14 feet apart. Provisions for removable posts may be approved provided that the anchoring device is an integral part of the fence.

(4) Tension wires of at least No. 9 gauge coil spring wire, or equivalent, shall be stretched at the top and bottom of the fence fabric and shall be fastened to the fabric at 24–inch intervals. There shall be no aperture below the fence large enough to permit any child to crawl under.

(b) Wire fences. All wire fences shall be constructed to meet the following specifications:

(1) There shall be either: (1) four strands of barbed wire spaced 12 inches between strands and maintained with sufficient tension to preclude sagging; or (2) commercial livestock wire netting with a minimum height of 4 feet and sufficient tension.

(2) Posts may be of any material of sufficient strength and rigidity to support the wire and restrain people or livestock from pushing them over. Posts shall be set no more than 10 feet apart and buried at least 12 inches into the ground.

(c) Gates. Gates shall be of a structure substantially the same as the required fences and shall be kept secured when not attended by an adult.

(d) Screening. All screening to cover sumps shall meet the following specifications:

(1) Be not greater than 2–inch nominal mesh.

(2) Be of sufficient strength to restrain entry of wildlife.

(3) Be supported in such a manner so as to prevent contact with the sump fluid.

(e) Other Types of Materials. Any material that can be used effectively to restrict access may be substituted for the materials indicated in (a), (b), (c), and (d), if approved by the Supervisor.

NOTE: Authority cited: Sections 3013, 3106 and 3782, Public Resources Code. Reference: Sections 3106 and 3781, Public Resources Code.

HISTORY

1. Amendment filed 2–17–78; effective thirtieth day thereafter (Register 78, No. 7).
2. Amendment filed 6–19–78; effective thirtieth day thereafter (Register 78, No. 25).
3. Amendment filed 10–21–82; effective thirtieth day thereafter (Register 82, No. 43).
4. Change without regulatory effect amending subsection (e) filed 12–26–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

§ 14–1779. Special Requirements.

The Supervisor in individual cases may set forth other requirements where justified or called for.

NOTE: Authority cited: Sections 3013 and 3106, Public Resources Code. Reference: Sections 3106, 3226 and 3787, Public Resources Code.

HISTORY

1. New NOTE filed 10–21–82; effective thirtieth day thereafter (Register 82, No. 43).
2. Change without regulatory effect amending section filed 12–26–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 52).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 10. Department of Parks and Recreation

(Title 14)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 10. Department of Parks and Recreation

TABLE OF CONTENTS

Page

Division 10. Department of Parks and Recreation 89

§ 14–4324. Sanitation.
§ 14–4330. Pesticides.
§ 14–4661. Disposal of Waste from Boats.

Division 10. Department of Parks and Recreation

(Title 14)

§ 14–4324. Sanitation.

(a) No person shall deposit waste, water, sewage or effluent from sinks, portable toilets, and other plumbing fixtures directly upon or into the surface of the ground or water.

(b) No person shall deposit any body waste in or any portion of any comfort station or other structure except into fixtures provided for that purpose.

(c) No person shall place any bottle, can, cloth, rag, metal, wood, paper, or stone substances in any plumbing fixture in such a manner as would interfere with the normal operation of such fixture.

NOTE: Authority cited: Section 5003, Public Resources Code. Reference: Section 5008, Public Resources Code.

HISTORY

1. Amendment filed 5–25–79; effective thirtieth day thereafter (Register 79, No. 21).
2. Repealer and new section filed 1–28–86; effective thirtieth day thereafter (Register 86, No. 5).
3. Change without regulatory effect repealing subsections (d)–(e) filed 6–18–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 25).

§ 14–4330. Pesticides.

(a) No person shall disperse or otherwise apply any pesticide within any unit or portion thereof, whether to the air, water, ground, or vegetation, unless prior written approval has been obtained from the Department.

(b) Exception is made in the instance of dispersal within enclosed buildings, tents, tent trailers, or within any vehicle or boat containing living or sleeping quarters, or the use outdoors within ten (10) feet of the table, stove, tent or food lockers, of hand–held finger–operated aerosol dispensers or hand–operated plunger–type dispensers with net contents not to exceed twenty (20) ounces and containing any of the following pesticides: Pyrethrine, Allethrin, Piperonyl butoxide, Malathion, DDVP (Dichlorves Vapona), Dibrom, Rotenone (Derrin, Cube Root).

NOTE: Authority cited: Section 5003, Public Resources Code. Reference: Section 5008, Public Resources Code.

HISTORY

1. Amendment filed 1–28–86; effective thirtieth day thereafter (Register 86, No. 5).
2. Change without regulatory effect adding subsection (a) and (b) designators and repealing last paragraph filed 6–18–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 25).

§ 14–4661. Disposal of Waste from Boats.

Any boat must be so constructed or equipped that all wastes, including but not limited to shower water and human waste, are discharged into a holding tank. Such wastes shall only be discharged in onshore disposal facilities.

NOTE: Authority cited: Section 5003, Public Resources Code. Reference: Section 5008, Public Resources Code.

HISTORY

1. Amendment filed 1–28–86; effective thirtieth day thereafter (Register 86, No. 5).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 10.1. Integrated Waste Management Board

(Title 14)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 10.1. California Integrated Waste Management Board

TABLE OF CONTENTS

Page

Division 10.1. California Integrated Waste Management Board 91

Division 10.1 California Integrated Waste Management Board

(Title 14)

§§ 14–18500—14–18536.1. [Removed]

HISTORY

1. Removal of sections 14–18500—14–18536.1 from title 26 filed 3–25–96 pursuant to Cal. Code Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 14 (Register 96, No. 13).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 11. State Board of Fabric Care

(Title 16)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 11. State Board of Fabric Care

TABLE OF CONTENTS

Page

Division 11. State Board of Fabric Care 93

§ 16–512. Allowable Concentration of Certain Vapors in Clothes Cleaning Establishments.
§ 16–512.2. Storage, Use and Disposal of Drycleaning Solvents.
§ 16–555.1. Consumer Safety.
§ 16–555.3. Venting.
§ 16–555.6. Chemical Requirements.
§ 16–556. Purity of Solvents.

Division 11. State Board of Fabric Care

(Title 16)

§ 16–512. Allowable Concentration of Certain Vapors in Clothes Cleaning Establishments.

Licensees shall use all dry cleaning solvents in a manner which complies with the most recent health and safety regulations adopted by the Occupational Safety and Health Standards Board (Cal/OSHA) in General Industrial Safety Order Number 5155 (Title 8, California Administrative Code).

NOTE: Authority cited: Sections 9533 and 9599.5, Business and Professions Code. Reference: Section 9599.5, Business and Professions Code.

HISTORY

1. Amendment filed 10–28–83; effective thirtieth day thereafter (Register 83, No. 44).

§ 16–512.2. Storage, Use and Disposal of Drycleaning Solvents.

(a) Licensees shall store, use or dispose of all drycleaning solvents in a manner which complies with applicable rules and regulations controlling emissions from equipment or machinery using halogenated hydrocarbons or petroleum solvents adopted by their local air pollution control authority pursuant to Parts 3 and 4 of Division 26 of the Health and Safety Code (commencing with Section 40000).

(b) Licensees shall store, use or dispose of all drycleaning solvents in a manner which complies with Chapter 6.5 of the Health and Safety Code (commencing with Section 25100) and the most recent standards established by the Department of Health Services (Title 22, Division 4, Chapter 30, commencing with Section 66001, California Administrative Code).

(c) Any violation of this section shall be grounds for appropriate disciplinary action in accordance with the powers granted to the Board by the Business and Professions Code.

NOTE: Authority cited: Sections 9533 and 9533.4, Business and Professions Code. Reference: Section 9533.4, Business and Professions Code.

HISTORY

1. New section filed 1–6–86; effective thirtieth day thereafter (Register 86, No. 2).

§ 16–555.1. Consumer Safety.

(a) A "Consumer Information Sheet," approved by the Board, shall be given to every onsite cleaning customer before an onsite drycleaning job is started. The information sheet shall contain the following information:

(1) Onsite cleaning precautions.

(2) A statement informing the customer that further information is available from the operator in Material Safety Data Sheets prepared in accordance with California Labor Code Sections 6360 et seq. ("California's Right to Know Law").

(3) A specific consumer re–entry time developed by the operator in accordance with standards set forth in subparagraph (d) of this section.

(4) The operator's name and license number.

(5) The establishment's name, license number, address, and telephone number.

(6) The Board's name, address and local telephone number.

(b) Operators shall maintain verification records, signed by their customers, in which customers certify that they have read and understood the "Consumer Information Sheet." These records shall be maintained for a period of one year after completion of onsite drycleaning jobs, and shall be available for inspection by the Board, or its representatives, at the licensee's principal place of business, during regular working hours. Copies of the records shall also be submitted to the Board, at the Board's request.

(c) The operator shall not allow any person except a person possessing a valid Operator's Registration Certificate or a trainee to occupy the cleaning area during the cleaning operation. He or she shall also develop an appropriate re–entry time, based on the factors outlined in subparagraph (d) of this section.

(d) In no event shall the re–entry time be less than 4 hours after completion of onsite drycleaning. The operator shall evaluate and consider the following conditions, in order to determine whether a longer re–entry time should be established:

(1) Size of the job (square feet of surface area to be cleaned).

(2) Volume of solvent to be used.

(3) Necessity of heating the solvent.

(4) Size of the room in which cleaning is to be performed.

(5) Size of the entire residence or building in which cleaning is to be performed.

(6) Degree to which items to be cleaned have been soiled.

(7) Time required to perform cleaning.

(8) Availability of natural dilution ventilation.

(9) Capability of mechanical forced air ventilation to augment dilution and removal of vapor emissions through opened windows and doors.

The operator shall establish a re–entry time longer than the minimum 4 hours, whenever the above conditions require a longer re–entry time, in order to protect the health and safety of the customer and all occupants of the dwelling or building in which cleaning is to be performed.

(e) The operator shall affix the following sign on each piece of upholstered furniture which has been cleaned: "Caution: Do not use this piece of furniture before (time) o'clock, on (day)." The operator shall insert in the spaces provided time and day for reuse which are calculated by adding 24 hours to the time at which the onsite drycleaning was completed.

(f) The operator shall be certain that all items in the immediate job area which could be damaged or harmed by exposure to organic cleaning agents have been removed. Items to be removed include all pets, food, drinks and smoking materials.

(g) The operator shall have available at the job site the Material Safety Data Sheets (provided by the chemical manufacturer in accordance with California Labor Code Sections 6360 et seq.) for all onsite cleaning agents to be used. The operator shall provide the Material Safety Data Sheets to the customer, upon request.

(h) The operator shall carry on his or her person a 20% continuous monitoring lower explosive limit (LEL) device, with a built–in audible alarm. The LEL device shall be installed, used, and serviced in accordance with the manufacturer's instructions. The audible alarm shall be loud enough to be heard above the cleaning equipment noise levels. In cases where the alarm sounds, the cleaning process shall be immediately stopped, and all persons shall leave the room in which cleaning is taking place. After leaving the room, the operator shall reset the LEL device and wait the amount of time he or she determines to be sufficient for dispersion of the solvent vapors to have occurred, before the room is re–entered.

(i) After onsite drycleaning has been completed, the operator shall be available by telephone within 24 hours, on regular working days during regular working hours, for consumer assistance or Board inquiry, in the event a problem or complaint related to the cleaning job arises.

NOTE: Authority cited: Section 9533, Business and Professions Code. Reference: Sections 101.6, 9533.4, 9533.5 and 9599.3, Business and Professions Code; and Sections 6360 et seq., Labor Code.

§ 16–555.3. Venting.

(a) Operators shall provide maximum dilution ventilation using fresh outside air during all onsite cleaning operations. In the immediate working area, all available doors and windows to the outside shall be opened.

(b) Operators shall use portable air movers to provide mechanical dilution ventilation. These air movers shall be placed in a manner that will dilute vapor levels with fresh outside air, and accelerate the off–gassing of residual vapors.

(c) Thorough vacuuming shall be performed as a standard work practice to minimize the residual vapor off–gassing.

(d) All doors leading to other parts of the dwelling or building being cleaned shall be closed, separating the work area from the rest of the structure. All heating and central cooling units shall be turned off to pre-

vent the indiscriminate dispersion of vapors into closed areas of the dwelling or building.

(e) Air–tight ducting shall be used from the outlet side of the operator's vacuum system to the outside of the dwelling or building in which cleaning is taking place. The outlet shall be placed in a position which the operator determines to be hazard–free.

(f) Onsite cleaning shall not be performed in areas that cannot be vented to the outside, except where conditions exist which assure that solvent vapor levels will not exceed standards established in Section 512 of these regulations.

NOTE: Authority cited: Sections 9533 and 9533.4, Business and Professions Code. Reference: Sections 101.6, 9533.3 and 9533.4, Business and Professions Code.

§ 16–555.6. Chemical Requirements.

(a) No cleaning solvents shall be used which prevent the operator from achieving compliance with any applicable safety standards established by the Occupational Safety and Health Standards Board (Cal/OSHA), the State Fire Marshal, and the Department of Health Services.

(b) Solvent residues must be disposed of in a manner consistent with all state and local government requirements. The disposal of solvents or solvent residue on the ground or in the sewer system is prohibited.

NOTE: Authority cited: Sections 9533 and 9533.4, Business and Professions Code. Reference: Sections 9533.4 and 9599.5, Business and Professions Code.

§ 16–556. Purity of Solvents.

Each licensee engaged in the dry cleaning of garments shall maintain the solvents used in the dry cleaning process at a level of purity sufficient for the effective cleaning of garments.

(a) The color of any dry cleaning solvent shall be not less than 15% transmissions as measured by a photo electric spectro photometer at a wave length of 500 millicrons.

(b) The total nonvolatile residue shall not exceed 5 grams for each 100 milliliters of solvent.

(c) The net nonvolatile residue shall not exceed $1^{1/2}$ grams for each 100 milliliters of solvent.

(d) Leather and fur cleaners shall be excluded from the standards enumerated in subsections (a) through (c).

NOTE: Authority cited: Section 9533, Business and Professions Code. Reference: Section 9533.3, Business and Professions Code.

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 12. Board of Barbering and Cosmetology

(Title 16)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 12. Board of Barbering and Cosmetology

TABLE OF CONTENTS

Page

Division 12. Board of Barbering and Cosmetology 95

§ 16–968. Physical Facilities of Schools and Establishments.
§ 16–976.5. Bottles and Containers.
§ 16–979. Disinfecting Non–Electrical Instruments and Equipment.
§ 16–980. Disinfecting Electrical Instruments.
§ 16–981. Instruments and Supplies.
§ 16–982. Sterilizing Electrolysis Instruments.
§ 16–983. Personal Cleanliness.
§ 16–984. Disease and Infestation.

Division 12. Board of Barbering and Cosmetology

(Title 16)

§ 16–968. Physical Facilities of Schools and Establishments.

NOTE: Authority cited: Sections 7310 and 7311, Business and Professions Code. Reference: Sections 7311, 7380, 7384.5, 7384.6, 7392 and 7395, Business and Professions Code.

HISTORY

1. Amendment of subsection (b)(2) filed 10–8–70; effective thirtieth day thereafter (Register 70, No. 41). For prior history see Register 69, No. 33.
2. Amendment of subsection (d), new subsection (e) and relettering of subsections (e), (f) and (g) to (f), (g) and (h) filed 2–16–71; effective thirtieth day thereafter (Register 71, No. 8).
3. Amendment of subsection (b) filed 3–29–72; effective thirtieth day thereafter (Register 72, No. 14).
4. Amendment filed 3–28–80; effective thirtieth day thereafter (Register 80, No. 13).
5. Amendment filed 7–10–84; effective thirtieth day thereafter (Register 84, No. 28).
6. Amendment of subsections (b)–(f) filed 2–11–86; effective thirtieth day thereafter (Register 86, No. 7).
7. Repealer filed 10–24–94; operative 11–23–94 (Register 94, No. 43).

§ 16–976.5. Bottles and Containers.

NOTE: Authority cited: Section 7311, Business and Professions Code.

HISTORY

1. New section filed 12–14–59; effective thirtieth day thereafter (Register 59, No. 21). For history of former section, see Register 56, No. 18.
2. Repealer filed 10–24–94; operative 11–23–94 (Register 94, No. 43).

§ 16–979. Disinfecting Non–Electrical Instruments and Equipment.

(a) Before use upon a patron, all non–electrical instruments shall be disinfected in the following manner:

(1) Clean with soap or detergent and water.

(2) Then totally immerse in an EPA–registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity, used according to manufacturer's instructions.

(b) The disinfectant solutions specified in subdivision (a) shall:

(1) Remain covered at all times.

(2) Be changed at least once per week or whenever visibly cloudy or dirty.

(c) All instruments that have been used on a patron or soiled in any manner shall be placed in a properly labeled receptacle.

(d) All disinfected instruments shall be stored in a clean, covered place which is labeled as such.

(e) If instruments and equipment specified in this section are sterilized in accordance with the requirements outlined in Section 982, the requirements of this section will be deemed to have been met.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

HISTORY

1. Repealer and new section filed 10–24–94; operative 11–23–94 (Register 94, No. 43). For prior history, see Register 90, No. 47.
2. Amendment of subsections (a)(2) and (d) filed 12–2–96; operative 1–1–97 (Register 96, No. 49).

§ 16–980. Disinfecting Electrical Instruments.

(a) Clippers, vibrators, and other electrical instruments shall be disinfected prior to each use by:

(1) First removing all foreign matter; and

(2) Disinfecting with an EPA–registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity used according to manufacturer's instructions.

(b) All disinfected electrical instruments, excluding curling irons and hot combs, shall be stored in a clean, covered place.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

HISTORY

1. Repealer and new section filed 10–24–94; operative 11–23–94 (Register 94, No. 43). For prior history, see Register 88, No. 38.
2. Amendment of subsection (b) filed 12–2–96; operative 1–1–97 (Register 96, No. 49).

§ 16–981. Instruments and Supplies.

(a) All instruments and supplies which come into direct contact with a patron and cannot be disinfected (for example, cotton pads, sponges, emery boards, and neck strips) shall be disposed of in a waste receptacle immediately after use.

(b) No person working or training in an establishment or school shall be permitted to carry any instrument or supplies in or on a garment or uniform while practicing any of the acts as defined in Section 7316 of the Business and Professions Code.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

HISTORY

1. Repealer and new section filed 10–24–94; operative 11–23–94 (Register 94, No. 43). For prior history, see Register 88, No. 38.

§ 16–982. Sterilizing Electrolysis Instruments.

(a) Before use upon a patron in schools and establishments, each electrolysis needle or tweezers shall be first cleaned with detergent and water (which may include the use of ultrasonic equipment) and then be sterilized by one of the following methods:

(1) Steam sterilizer, registered and listed with the federal Food and Drug Administration, used according to manufacturer's instructions.

(2) Dry heat sterilizer, registered and listed with the federal Food and Drug Administration, used according to manufacturer's instructions.

(b) Sterilization equipment shall be checked weekly to ensure that it is reaching the temperature required by manufacturer's instructions.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

HISTORY

1. New section filed 10–24–94; operative 11–23–94 (Register 94, No. 43). For prior history, see Register 88, No. 38.

§ 16–983. Personal Cleanliness.

(a) The person and attire of a licensee serving a patron shall at all times be clean.

(b) Every licensee performing services shall thoroughly wash his or her hands with soap and water or any equally effective cleansing agent immediately before serving each patron.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

HISTORY

1. New section filed 10–24–94; operative 11–23–94 (Register 94, No. 43). For prior history, see Register 84, No. 28.

§ 16–984. Disease and Infestation.

(a) No establishment or school shall knowingly permit a person afflicted with an infection or parasitic infestation capable of being transmitted to a patron to serve patrons or train in the establishment or school.

(b) No establishment or school shall knowingly require or permit a licensee or student to work upon a person with an infection or parasitic infestation capable of being transmitted to the licensee or student.

(c) Infections or parasitic infestation capable of being transmitted between licensee or student and patron include, but are not limited to, the following:

– Cold, influenza or other respiratory illness accompanied by a fever, until 24 hours after resolution of the fever.

– Streptococcal pharyngitis ("Strep throat"), until 24 hours after treatment has been initiated, and 24 hours after resolution of fever.

– Purulent conjunctivitis ("pink eye"), until examined by a physician and approved for return to work.

– Pertussis ("whooping cough"), until five days of antibiotic therapy has been completed.

– Varicella ("chicken pox"), until the sixth day after onset of rash or sooner if all lesions have dried and crusted.

– Mumps, until nine days after onset of parotid gland swelling.

– Tuberculosis, until a physician or local health department authority states that the individual is noninfectious.

– Impetigo (bacterial skin infection), until 24 hours after treatment has begun.

– Pediculosis (head lice), until the morning after first treatment.

– Scabies ("crabs"), until after treatment has been completed.

(d) Blood–borne diseases, such as HIV/AIDS and hepatitis B (HBV), shall not be considered infectious or communicable diseases for the purpose of this section.

(e) No person working or training in an establishment or school shall massage any person upon a surface of the skin or scalp where such skin is inflamed, broken (e.g., abraded, cut) or where a skin infection or eruption is present.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7312(e), Business and Professions Code.

HISTORY

1. Repealer and new section filed 10–24–94; operative 11–23–94 (Register 94, No. 43). For prior history, see Register 80, No. 13.

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 13. Board of Funeral Directors and Embalmers

(Title 16)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 13. Board of Funeral Directors and Embalmers

TABLE OF CONTENTS

Page

Division 13. Board of Funeral Directors and Embalmers 97

§ 16-1217. Preparation or Storage Room and Destruction of Waste Materials.

§ 16-1222. Embalming Fluids.

Division 13. Board of Funeral Directors and Embalmers

(Title 16)

§ 16–1217. Preparation or Storage Room and Destruction of Waste Materials.

HISTORY

1. Amendment filed 11–14–57; effective thirtieth day thereafter (Register 57, No. 20).
2. Amendment filed 2–11–75 as an emergency; effective upon filing. Certificate of Compliance included (Register 75, No. 7).
3. Repealer filed 7–3–86; effective thirtieth day thereafter (Register 86, No. 27).

§ 16–1222. Embalming Fluids.

No embalming fluids shall be used in embalming which contain heavy minerals or metallic substances which have a poisonous effect, such as arsenic, lead and mercury.

NOTE: Authority cited: Section 7606, Business and Professions Code. Reference: Sections 7606 and 7707, Business and Professions Code.

HISTORY

1. New section filed 8–11–53 as an emergency; designated effective 9–9–53 (Register 53, No. 13).
2. Amendment filed 7–3–86; effective thirtieth day thereafter (Register 86, No. 7).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 14. Board of Pharmacy

(Title 16)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 14. Board of Pharmacy

TABLE OF CONTENTS

Page

Division 14. Board of Pharmacy 99

§ 16–1708.4. Pharmacist Handling Radioactive Drugs.

§ 16–1708.5. Pharmacy Furnishing Radioactive Drugs.

Division 14. Board of Pharmacy

(Title 16)

§ 16–1708.4. Pharmacist Handling Radioactive Drugs.

A pharmacist handling radioactive drugs must be competent in the preparation, handling, storage, receiving, dispensing, disposition and pharmacology of radioactive drugs. He must have completed a nuclear pharmacy course and/or acquired experience in programs approved by the Board. Education and experience in non–approved programs may be granted partial or equivalent credit, if, in the opinion of the Board, such programs provide the level of competence as approved programs or the Nuclear Pharmacy Competency Statement adopted by the Board.

NOTE: Authority cited: Sections 4008, 4008.1 and 4008.2, Business and Professions Code. Reference: Sections 4031, 4035 and 4037, Business and Professions Code.

HISTORY

1. New section filed 1–20–76; effective thirtieth day thereafter (Register 76, No. 4).

§ 16–1708.5. Pharmacy Furnishing Radioactive Drugs.

A pharmacy furnishing radioactive drugs is any area, place or premises described in a permit issued by the board where radioactive drugs are stored, processed, compounded, repackaged, or dispensed.

A pharmacy exclusively furnishing radioactive drugs shall be exempt from the patient consultation area requirements of Title 16 Cal. Code of Regulations Section 1714(a) unless the Board finds that the public health and safety require their application.

A pharmacist qualified under Section 1708.4 to furnish radioactive drugs shall be in the pharmacy whenever the furnishing of radioactive drugs occurs. All personnel involved in the furnishing of radioactive drugs shall be under the immediate and direct supervision of such a qualified pharmacist.

NOTE: Authority cited: Sections 4005, 4008 and 4008.2, Business and Professions Code. Reference: Sections 4005, 4008 and 4008.2, Business and Professions Code.

HISTORY

1. New section filed 1–20–76; effective thirtieth day thereafter (Register 76, No. 4).
2. Amendment filed 4–22–85; effective thirtieth day thereafter (Register 85, No. 17).
3. Amendment of section and NOTE filed 3–20–97; operative 4–19–97 (Register 97, No. 12).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 15. Structural Pest Control Board

(Title 16)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 15. Structural Pest Control Board

TABLE OF CONTENTS

Page

Division 15. Structural Pest Control Board 101

§ 16–1970. Standards and Record Requirements.
§ 16–1970.1. Enclosed Spaces.
§ 16–1970.3. Securing Against Entry.
§ 16–1970.4. Pesticide Disclosure Requirement.
§ 16–1970.5. Commencing Aeration.
§ 16–1971. Fumigation Safety Kit and Other Equipment.
§ 16–1983. Handling, Use, and Storage of Pesticides.

Division 15. Structural Pest Control Board

(Title 16)

§ 16–1970. Standards and Record Requirements.

For the purpose of maintaining proper standards of safety and the establishment of responsibility in handling the dangerous gases used in fumigation and the pesticides used in other pest control operations, a registered company shall compile and retain for a period of at least three years, a log for each fumigation job and for each pesticide control operation in which a pesticide is used by the registered company or the registered company's employee. If the fumigation is to be performed by a fumigation subcontractor, the subcontractor shall complete the fumigation log and forward a copy of the log to the primary contractor within ten business days.

(a) The log (See Form 43M–47 (Rev. 5/07) at the end of this section) for each fumigation job shall contain the following information:

Name, address and company registration certificate number of prime contractor.

Name, address and company registration certificate number of subcontractor, if any.

Address of property.

Date of fumigation.

Name and address of owner or his or her agent.

Date and hour fire department was notified pursuant to Business and Professions Code section 8505.5.

Date and hour county agricultural commissioner was notified and method of notification, where required.

Property description including type of structure as to details of roofing, walls, and the presence of construction elements, conduits, drains, air ducts, or vacuum systems that could allow the passage of fumigant from the structure to be fumigated to any adjacent or adjoining structure(s), thereby connecting them, and method(s) used to prevent passage of the fumigant.

Cubic feet fumigated.

Target pest(s).

Kind of fumigant(s) used.

United States Environmental Protection Agency registration number(s) of fumigant(s).

Name of warning agent and amount used.

Type of sealing method used.

Weather conditions as to temperature and wind.

Date and hour fumigant introduced.

Cylinder number of each fumigant used.

Weight of each fumigant cylinder before introduction of gas.

Pounds of fumigant used from each cylinder.

Total pounds of fumigant used.

List of any extraordinary safety precautions taken.

Name, signature and license number of operator or field representative releasing fumigant.

First name and surname of crew when fumigant was released, when aeration commenced and when the property was released for occupancy.

Indication of whether or not safety equipment was available at the fumigation site at the time the fumigant was introduced, when ventilation commenced and when the property was released for occupancy.

Date and hour aeration commenced.

Conditions of tarp and seal.

Name, signature and license number of operator or field representative commencing ventilation.

Type of device(s) used to test for re–entry.

Date and hour ready for occupancy.

Name, signature and license number of operator or field representative releasing property for occupancy.

Method used to calculate amount of fumigant used.

Factors used in calculation of fumigant.

Special notes or comments pertinent to fumigation.

(b) The report for each pest control operation, other than fumigation, in which a pesticide is used shall contain the following information:

Date of treatment.

Name of owner or his or her agent.

Address of property.

Description of area treated.

Target pest(s).

Pesticide and amount used.

Identity of person or persons who applied the pesticide.

(c) The term "fraudulent act" as used in Section 8642 includes but is not limited to the falsification of any records pertaining to fumigation jobs or other pest control operations in which a pesticide other than a fumigant is used.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 8505.5, 8505.7, 8505.13, 8505.15, 8505.16, 8516, 8642, 8646 and 8652, Business and Professions Code.

HISTORY

1. Amendment filed 9–29–78 as an emergency; effective upon filing (Register 78, No. 39). For prior history, see Register 68, No. 1.
2. Amendment filed 9–29–78; effective thirtieth day thereafter (Register 78, No. 52).
3. Certificate of Compliance filed 1–23–79 (Register 79, No. 4).
4. Editorial correction (Register 79, No. 43).
5. Amendment of NOTE filed 9–22–83; effective thirtieth day thereafter (Register 83, No. 39).
6. Amendment filed 3–23–87; effective upon filing pursuant to Government Code section 11346.2(d) (Register 87, No. 13).
7. Amendment of first paragraph and subsections (a) and (b), amendment of NOTE, and new form 43M–47 filed 4–28–98; operative 5–28–98 (Register 98, No. 18).
8. Amendment of subsection (a) filed 10–23–2001; operative 11–22–2001 (Register 2001, No. 43).
9. Amendment of subsection (a) and form 43M–47 filed 7–13–2004; operative 8–12–2004 (Register 2004, No. 29).
10. Amendment of first paragraph and subsection (a) and repealer and new Form 43M–47 filed 4–29–2008; operative 5–29–2008 (Register 2008, No. 18).

STANDARD STRUCTURAL FUMIGATION LOG

ADDRESS OF PROPERTY	CITY	DATE OF FUMIGATION
BRANCH CO. AND ADDRESS (SUBCONTRACTOR)	CO. REG. #.	PRIME CONTRACTOR NAME AND ADDRESS / CO. REG. #
OWNER/AGENT NAME AND ADDRESS		FIRE DEPT. NOTIFIED (DATE)(HOUR)
PROPERTY DESCRIPTION		C.A.C. NOTIFIED (METHOD)(DATE)(HOUR)
NOTES OR COMMENTS		

SECTION 1 FUMIGANT RELEASED	TARGET PEST	WARNING AGENT	CUBIC FEET	OUNCES USED
FUMIGANT / E.P.A. REGISTRATION NO.		SEALING METHOD	DATE/TIME GAS INTRODUCED	
		CYLINDER SERIAL NO.	WT. BEFORE INTRO.	POUNDS APPLIED
WIND M.P.H. AIR TEMP		CYLINDER SERIAL NO.	WT. BEFORE INTRO.	POUNDS APPLIED
		CYLINDER SERIAL NO.	WT. BEFORE INTRO.	POUNDS APPLIED
EXTRAORDINARY PRECAUTIONS				TOTAL POUNDS

[ ] FUMIGUIDE B [ ] FUMIGUIDE Y [ ] VIKANE CALCULATOR [ ] FUMICALC CALCULATOR [ ] OTHER _____

DOSAGE FACTOR	UNDER SEAL
TARP CONDITION	TEMPERATURE
SEAL CONDITION	HOURS EXPOSURE
WIND (MPH)	MONITOR JOB (YES / NO)
VOLUME	

CREW MEMBERS NAMES		
WAS REQUIRED SAFETY EQUIP. PROVIDED? YES ( ) NO ( )	LICENSEE RELEASING FUMIGANT SIGNATURE	LICENSE NO.

SECTION 2 VENTILATION COMMENCED	AERATION COMMENCED: DATE	TIME	TARP / SEAL CONDITION
CREW MEMBERS NAMES			
WAS REQUIRED SAFETY EQUIP. PROVIDED? YES ( ) NO ( )	LICENSEE COMMENCING VENTILATION SIGNATURE		LICENSE NO.

SECTION 3 RELEASED FOR OCCUPANCY	TESTING DEVICE USED	PROPERTY CERTIFIED SAFE FOR RE-ENTRY DATE	TIME
CREW MEMBERS NAMES			
WAS REQUIRED SAFETY EQUIP. PROVIDED? YES ( ) NO ( )	LICENSEE RELEASING PROPERTY FOR OCCUPANCY SIGNATURE		LICENSE NO.

43M–47 (Rev. 5/07)

§ 16–1970.1. Enclosed Spaces.

(a) As used in Section 8505.1 of the code, the term "enclosed space" shall include but shall not be limited to any of the following:

(1) Vault or chamber

(2) Tarpaulin covering

(3) Paper and tape seal

(4) Combination paper and tape and tarpaulin

(5) Van, boxcar, ship, plane or other vehicle

(b) For purposes of subsection (a), "tarpaulin" means a protective covering which is capable of retaining a fumigant for the period of time required by the label for such fumigant.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 8505.1 and 8505.7, Business and Professions Code.

HISTORY

1. New Sections 1970.1, 1970.2, and 1970.3 filed 9–18–75; effective thirtieth day thereafter (Register 75, No. 38).
2. Amendment filed 9–22–83; effective thirtieth day thereafter (Register 83, No. 39).

§ 16–1970.3. Securing Against Entry.

As used in Section 8505.7 of the code, the phrase "locked, barricaded, or otherwise secured against entry" shall mean that all structures, prior to fumigation, shall have a secondary lock on all outside doors. A secondary lock means a device or barricade that will secure and prevent a door from being opened by anyone other than the licensee in charge of the fumigation. Examples of approved devices are clamshell locks, padlocks, keyway locks, pins or any other device, including inside deadbolts.

(a) Pins shall be of a thickness to prevent the insertion of the door key.

(b) Staples cannot be used in keyways as a secondary lock under any circumstances.

(c) An exterior doorway on a garage or an uninhabited structure which does not have a door shall have impassable barricades erected thereon prior to fumigation if it provides a path of access for persons to enter into a building which is inhabited by human beings or shows evidence of human habitation. This provision shall apply to side doorways on otherwise enclosed garages if the garage is being used for storage of personal property, or is part of inhabited property.

A garage without a car door or where the car door is missing shall be considered a carport and need not be barricaded unless there is evidence that the garage area is being used for habitation.

A barricade is considered to be plywood with a thickness of one–fourth inch or a material of equal or greater strength.

NOTE: Authority cited: Sections 8520 and 8525, Business and Professions Code. Reference: Sections 8505.4 and 8505.7, Business and Professions Code.

HISTORY

1. Repealer and new section filed 5–19–78; effective thirtieth day thereafter (Register 78, No. 20).
2. Amendment filed 1–26–82; effective thirtieth day thereafter (Register 82, No. 5).
3. Editorial correction (Register 82, No. 16).
4. Amendment of NOTE filed 9–22–83; effective thirtieth day thereafter (Register 83, No. 39).
5. Amendment and new subsections (a)–(d) filed 1–13–93; operative 2–12–93 (Register 93, No. 3).
6. Amendment of first paragraph, repealer of subsection (a) and subsection relettering, and amendment of newly designated subsection (a) and last paragraph filed 3–13–96; operative 4–12–96 (Register 96, No. 11).

§ 16–1970.4. Pesticide Disclosure Requirement.

(a) The primary contractor for fumigation shall have in his or her possession and shall provide to any subcontractor for fumigation a form (See Form 43M–48 (Rev. 5/07) at the end of this section) signed by the occupants or designated agent of a structure. The primary contractor for fumigation and the subcontractor for fumigation shall retain a copy of the occupants fumigation notice for a period of at least three years. In case of multiple–family dwellings, the owner, manager or designated agent of the building may obtain signatures and/or verify the notification of the occupants.

The form shall state the name of the pest to be controlled, the pesticide(s)/fumigant(s) proposed to be used, the active ingredient(s) and the health cautionary statement as required under section 8538 of the code. The form shall also state that a lethal gas (poison) will be used in the building on indicated dates and that it is unsafe to return to the building until a certification notice for reentry is posted by the licensed fumigator. The form shall also indicate that the occupant has received the prime contractor's information regarding the procedures for leaving the structure.

The properly signed form or a copy thereof shall be in the possession of the licensed fumigator when the fumigant is released. Such form shall be attached to and become a permanent part of the fumigation log upon completion of the fumigation.

(b) Any death or serious injury relating to pesticide application or use, whether to a worker or member of the public, shall be reported to the nearest Structural Pest Control Board office immediately.

(c) Whenever a licensee employed by a branch 2 or branch 3 registered company applies a pesticide within, around or to any structure such person shall leave in a conspicuous location a written notice identifying the common, generic or chemical name of each pesticide applied. In case of a multiple family structure, such notice may be given to the designated agent or the owner. Such pesticide identification notice may be a door hanger, invoice, billing statement or other similar written document which contains the registered company's name, address, and telephone number.

(d) All pest control operators, field representatives, applicators and employees in all branches shall comply in every respect with the requirements of section 8538 of the code. Failure to comply with section 8538 of the code is a misdemeanor and shall constitute grounds for discipline.

(e) Where notification is required under section 8538 of the code, and the premises on which the work is to be performed is a multiple family dwelling consisting of more than 4 units, the owner/owner's agent shall receive notification and other notices shall be posted in heavily frequented, highly visible areas including, but not limited to, all mailboxes, manager's apartment, in all laundry rooms, and community rooms on all external pest control servicing. Complexes with fewer than 5 units will have each affected unit notified. Any pest control servicing done within a tenant's apartment requires that the tenant be notified according to section 8538 of the code.

(f) A registered company which applies any pesticide within, around or to any structure shall provide to any person, within 24 hours after request therefore, the common, generic or chemical name of each pesticide applied.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8505.7, 8505.13 and 8538, Business and Professions Code.

HISTORY

1. New section filed 5–19–78; effective thirtieth day thereafter (Register 78, No. 20).
2. Amendment filed 5–8–80; effective thirtieth day thereafter (Register 80, No. 19).
3. Amendment of subsection (a) filed 6–3–81; effective thirtieth day thereafter (Register 81, No. 23).
4. Relettering of former subsection (d) to (e) and new subsection (d) filed 6–17–85; effective thirtieth day thereafter (Register 85, No. 25).
5. Relettering of former subsection (e) to (f) and new subsection (e) filed 11–10–86; effective thirtieth day thereafter (Register 86, No. 46).
6. Amendment filed 3–23–87; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 87, No. 13).
7. Amendment of subsections (a), (d) and (e) filed 4–12–90; operative 5–12–90 (Register 90, No. 17).
8. Amendment of subsections (a), (c) and NOTE filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
9. Amendment of subsections (a), (c) and (d), amendment of NOTE, and new form 43M–48 filed 4–28–98; operative 5–28–98 (Register 98, No. 18).
10. Change without regulatory effect amending subsections (c) and (f) filed 3–26–2002 pursuant to section 100, title 1, California Code of Regulations (Register 2002, No. 13).
11. Amendment of subsection (a) and repealer and new form 43M–48 filed 12–30–2005; operative 1–29–2006 (Register 2005, No. 52).
12. Amendment of subsection (a) and repealer and new Form 43M–48 filed 4–29–2008; operative 5–29–2008 (Register 2008, No. 18).

OCCUPANTS FUMIGATION NOTICE AND PESTICIDE DISCLOSURE

JOB ADDRESS _____ CITY _____
☐ Single Family Dwelling ☐ Multi Family Dwelling ☐ Other _____
Owner/Agent _____
Tel. No. ( ) _____ Emergency No. ( ) _____
Occupant _____
Tel. No. ( ) _____ Emergency No. ( ) _____
Prime Contractor _____ Emergency No. ( ) _____
Fumigation Contractor _____ Emergency No. ( ) _____
Target Pest(s): ☐ Drywood Termites ☐ Beetles ☐ Other(s)
Fumigants proposed to be used: ☐ Methyl Bromide ☐ Sulfuryl Fluoride: _____ (Product Name)

☐ Other(s) _____

Are you aware of any conduits, pipes, common drains, air ducts, central vacuum systems or any other construction elements that would allow the passage of a fumigant from the structure to be fumigated to any other adjacent or adjoining structure?
YES ( ) NO ( ) _____

CHLOROPICRIN WILL BE USED AS WARNING AGENT WITH EITHER FUMIGANT

Dates of fumigation: _____ Date changes/Alternative date: _____
Initials _____

IMPORTANT - READ CAREFULLY

THIS BUILDING WILL BE FUMIGATED WITH LETHAL GASES ON THE DATE(S) INDICATED ABOVE. ALL PERSONS AND ANIMALS MUST VACATE THE PREMISES ON OR BEFORE ARRIVAL OF THE FUMIGATION CREW.

UNDER NO CIRCUMSTANCES CAN ANYONE ENTER THE BUILDING UNTIL THE FUMIGATION COMPANY'S NOTICE IS POSTED GIVING THE TIME AND DATE FOR SAFE RE-ENTRY.

"State law requires that you be given the following information: CAUTION-PESTICIDES ARE TOXIC CHEMICALS. Structural pest control companies are registered and regulated by the Structural Pest Control Board, and apply pesticides which are registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the State finds that based on existing scientific evidence there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of exposure, so exposure should be minimized."

If within 24 hours you experience symptoms of dizziness, headache, nausea, reduced awareness, slowed movement, garbled speech or difficulty in breathing, leave the structure immediately and seek medical attention by contacting your physician or Poison Control Center (telephone number) and notify your pest control company. The warning agent, chloropicrin, can cause symptoms of tearing, respiratory distress and vomiting. Entry into the space during fumigation can be fatal.

For further information, contact any of the following: Your pest control company (telephone number); for Health Questions - the County Health Department (telephone number); for Application Information - the County Agricultural Commissioner (telephone number) and for Regulatory Information - the Structural Pest Control Board, 800/737-8188, 2005 Evergreen Street, Ste. 1500, Sacramento, CA 95815.

FOR HEALTH QUESTIONS:

COUNTY HEALTH DEPARTMENT	COUNTY AGRICULTURAL COMMISSIONER	POISON CONTROL CENTER	STRUCTURAL PEST CONTROL BOARD
PHONE #	PHONE #	PHONE #	PHONE #

(This section may be modified to include the information of geographical area served by the licensee.)

I hereby acknowledge receipt of a copy of this document as well as a list that includes the instructions for the necessary preparations for the fumigation, procedures for leaving the structure, and the following documents.

_____
_____
_____

We suggest that you notify nearby neighbors of the date of fumigation and to keep pets away during the fumigation. Close off any open access to the subarea to prevent pets from entering.

[ ] Owner/Agent (signature) _____ Date _____
[ ] Occupants(s) (signature) _____
_____
_____

43M–48 (Rev. 5/07)

§ 16–1970.5. Commencing Aeration.

"The time ventilation is commenced" as used in section 8505.3 of the Code means the period of time beginning when the seal is broken and ending when all seals/tarps are removed. A licensed Branch 1 operator or field representative is required to be present during this entire period of time.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8505.3, Business and Professions Code.

HISTORY

1. New section filed 4–12–90; operative 5–12–90 (Register 90, No. 17).
2. Amendment of section filed 8–12–96; operative 9–11–96 (Register 96, No. 33).

§ 16–1971. Fumigation Safety Kit and Other Equipment.

(a) All fumigation crews shall be provided with and shall have in their possession on the job:

(1) A fumigation safety kit, in proper condition for use, containing at least the following:

(A) Statements of instructions published by the manufacturer of the fumigants being used.

(B) Two or more effective gas masks or other safety equipment approved by the National Institute of Occupational Safety and Health, for protection against the type of fumigant being used.

(C) A chart of instructions for artificial resuscitation.

(2) Proper testing equipment as required by the manufacturer's label instructions and all applicable laws and regulations.

(b) The crew shall be instructed in the use and care of kit and safety equipment and in first aid methods.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 8505.4, 8505.8, 8505.15 and 8505.16, Business and Professions Code.

HISTORY

1. Amendment filed 11–18–57; effective thirtieth day thereafter (Register 57, No. 20).
2. Amendment of subsection (a) filed 9–18–75; effective thirtieth day thereafter (Register 75, No. 38).
3. Amendment filed 5–19–78; effective thirtieth day thereafter (Register 78, No. 20).
4. Amendment filed 9–22–83; effective thirtieth day thereafter (Register 83, No. 39).
5. Repealer of subsection (a)(1)(A), subsection relettering, and amendment of newly designated subsection (a)(C)(2) filed 3–6–95; operative 4–5–95 (Register 95, No. 10).

§ 16–1983. Handling, Use, and Storage of Pesticides.

(a) Each container in which any pesticide is stored, carried or transported shall be adequately labeled in accordance with the provisions of Articles 1 and 5, Chapter 2, Division 7 of the Food and Agriculture Code (relating to economic poisons) and regulations adopted by the Department of Pesticide Regulation thereunder.

(b) Service kits which contain any pesticide or preparation thereof shall be handled with extreme caution and in no case shall such a kit be left where children or other unauthorized persons might remove the contents.

(c) When any pesticide or preparation thereof is carried on a truck or other vehicle, a suitable storage space shall be provided thereon. Under no circumstances shall such storage be left either unlocked or unattended when containing any pesticide or preparation thereof.

(d) Where there is danger of food or drug contamination, all food or drug commodities and all utensils or equipment used in the preparation of food or drugs shall be adequately covered to insure against contamination by pesticidal materials, unless the contamination will be dissipated or otherwise removed prior to the time the food or drugs are consumed or the utensils or equipment used.

(e) No rodenticide or avicide shall be used in such manner as to be readily accessible to children or pets.

(f) All rodenticides and avicides shall be removed from readily accessible places upon termination of the particular service.

(g) Under no circumstances shall oil base insecticidal materials be used in or near open flames or active heaters.

(h) Tracking powders shall be used only at floor level or in such places as warrant their safe use.

(i) When a covered or uncovered bait station is used for any pesticide the bait station shall be adequately marked with the signal word or symbols required on the original pesticide label, the generic name of the pesticide, and the name, address and telephone number of the structural pest control company. A building which is vacated, posted, locked and in the care, custody and control of the registered company shall be considered the bait station.

(j) When a termite baiting system contract is terminated, any toxicant used to modify, control, change or eliminate the behavior and existence of termites, excluding liquid termiticides, shall be removed from the property.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 8643 and 8647, Business and Professions Code.

HISTORY

1. Amendment filed 7–5–80; effective thirtieth day thereafter (Register 80, No. 27).
2. Amendment filed 9–22–83; effective thirtieth day thereafter (Register 83, No. 39).
3. Amendment of subsections (h) and (i) and repealer of subsection (j) filed 3–23–87; effective upon filing pursuant to Government Code section 11346.2(d) (Register 87, No. 13).
4. Amendment of subsections (a) and (b) filed 3–6–95; operative 4–5–95 (Register 95, No. 10).
5. New subsection (j) filed 7–13–2004; operative 8–12–2004 (Register 2004, No. 29).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 16. Bureau of Automotive Repair

(Title 16)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 16. Bureau of Automotive Repair

TABLE OF CONTENTS

Page

Division 16. Bureau of Automotive Repair 103

§ 16–3303.2. Review of Applications for Licensure, Registration and Certification; Processing Time.
§ 16–3326. Station Operation.
§ 16–3327. Inspection Procedures and Certification Requirements.
§ 16–3340.1. Definitions.
§ 16–3340.5. Vehicles Exempt from Inspections.
§ 16–3340.6. Vehicles Subject to Inspection upon Change of Ownership and Initial Registration in California.
§ 16–3340.10. Licensing of Smog Check Stations.
§ 16–3340.15. General Requirements for Smog Check Stations.
§ 16–3340.16. Test–Only Station Requirements.
§ 16–3340.16.5. Test–and–Repair Station Requirements.
§ 16–3340.16.7. Test Equipment and Electronic Transmission Requirements.
§ 16–3340.17. Test Equipment, Electronic Transmission, Maintenance and Calibration Requirements.
§ 16–3340.18. Certification of Emissions Inspection System Calibration Gases and Blenders of Gases.
§ 16–3340.20. Acknowledgment and Waiver Requirement for Licensed Test–and–Repair Stations.
§ 16–3340.22. Test Station and Test–and–Repair Station Signs.
§ 16–3340.23. Licensed Smog Check Station That Ceases Operating As a Licensed Station.
§ 16–3340.24. Suspension, Revocation, and Reinstatement of Licenses.
§ 16–3340.25. Licensing of Inspectors.
§ 16–3340.30. General Requirements for Licensed Technicians.
§ 16–3340.35. A Certificate of Compliance, Noncompliance, Repair Cost Waiver or an Economic Hardship Extension.
§ 16–3340.36. Clearing Enforcement Forms.
§ 16–3340.37. Installation of Oxides of Nitrogen (NOx) Devices.
§ 16–3340.41. Inspection, Test, and Repair Requirements.
§ 16–3340.41.5. Tampering with Emissions Control Systems.
§ 16–3340.42. Mandatory Smog Check Inspection and Test Procedures, and Emissions Standards.
§ 16–3340.45. Cost Limitations.
§ 16–3340.50. Fleet Facility Requirements.
§ 16–3340.50.1. Application for Fleet Facility License; Renewal; Replacement.
§ 16–3340.50.3. Fleet Records and Reporting Requirements.
§ 16–3340.50.4. Fleet Certificates.
§ 16–3340.50.5. Suspension or Rescission of Fleet Facility License.
§ 16–3356.1. Toxic Waste Disposal Costs.

Division 16. Bureau of Automotive Repair

(Title 16)

§ 16–3303.2. Review of Applications for Licensure, Registration and Certification; Processing Time.

(a) An applicant for an initial license, registration or certification shall be informed in writing within 14 days whether the application is complete and accepted for filing or is incomplete and what specific information is required.

(b) An applicant for initial licensure as an official lamp, brake or smog check station shall be informed in writing, within 45 days after completion of the application, of the bureau's decision whether the applicant meets the requirements for licensure. Inspection of the applicant's station shall be performed during that time period. In the event that the inspection indicates a deficiency, the time period may be extended by that time necessary for correcting the deficiency.

(c) An applicant for initial licensure as a smog check technician shall be informed in writing, within 70 days after completion of the application, of the bureau's decision whether the applicant meets the requirements to take the technician examination.

(d) An applicant for initial licensure as an adjuster shall be informed in writing, within 70 days after completion of the application, of the bureau's decision whether the applicant meets the requirements for licensure. This period may be extended by the time necessary for rescheduling an examination if the applicant fails the examination or fails to take the examination at the time first scheduled by the bureau.

(e) An applicant for initial registration as an automotive repair dealer shall be informed in writing, within 45 days after completion of the application, of the bureau's decision whether the applicant meets the requirements for registration.

(f) An applicant for initial licensure as a fleet facility shall be informed in writing, within 15 days after completion of the application, of the bureau's decision whether the applicant meets the requirements for licensure.

(g) An applicant for certification as an instructor of Smog check technicians shall be informed in writing, within 45 days after completion of the application, as to whether the applicant meets the requirements for certification.

(h) An applicant for initial certification as an institution providing training to Smog check technicians shall be informed in writing, within 70 days after completion of the application, of the bureau's decision as to whether the applicant meets the requirements for certification. Inspection of the applicant's training facility shall be performed during that time period. In the event that the inspection indicates a deficiency, the time period may be extended by that time necessary for correcting the deficiency.

(i) An applicant applying for certification as a Gold Shield station shall be informed in writing, within 45 days after the bureau has received a completed Gold Shield Application form (GSR–1 (08/05/97)) which is incorporated by reference, of the bureau's decision that the station meets, or does not meet, the eligibility requirements, or the basis for disapproving the certification. Inspection of the applicant's station shall be performed during that time period. In the event that the inspection indicates a deficiency, the time period may be extended by that time necessary for correcting the deficiency. A representative of the bureau may make an inspection of the applicant's station. A certification may be issued only for an applicant that meets the specifications contained in Article 10, of this Chapter.

(j) "Completion of the application" as used in this section means that a completed application and required fees have been filed by the applicant and received by the bureau.

(k) The minimum, maximum and median processing times for initial licensure, or a Gold Shield (GS) station certification from the time of receipt of the initial application until the bureau made a final decision on the application, or the GS station certification were:

	Lamp Station	*Brake Station*	*Smog Check Technician*
(1) Minimum	14 days	15 days	21 days
(2) Median	20 days	21 days	50 days
(3) Maximum	44 days	29 days	120 days

	Lamp Adjuster	*Brake Adjuster*
(1) Minimum	15 days	21 days
(2) Median	52 days	50 days
(3) Maximum	101 days	103 days

	Automotive Repair Dealer	*Smog Check Station*	*Technician Training Institution*
(1) Minimum	17 days	3 days	10 days
(2) Median	39 days	22 days	61 days
(3) Maximum	97 days	120 days	347 days

	Fleet Facility	*Smog Check Inspector*	*Technician Training Instructor*
(1) Minimum	1 day	2 days	2 days
(2) Median	10 days	9 days	22 days
(3) Maximum	28 days	112 days	264 days

	Gold Shield Station
(1) Minimum	30 days
(2) Median	42 days
(3) Maximum	72 days

(*l*) An applicant for certification to blend, fill or sell emissions inspection system (EIS) calibration gases pursuant to section 44036.5 of the Health and Safety Code shall be informed in writing, within 70 days after completion of the application of the bureau's decision as to whether the applicant meets the requirements for certification. The minimum, maximum and median processing times for initial certification for such applicants from the time of receipt of the initial application until the bureau made a final decision on the application has been as follows:

(1) Minimum	40 days
(2) Median	53 days
(3) Maximum	73 days

NOTE: Authority cited: Sections 9882 and 9887.1, Business and Professions Code; Sections 44001.5, 44002, 44014, 44031, 44036.5 and 44045.5, Health and Safety Code; and Section 15376, Government Code. Reference: Section 15376, Government Code; Section 44014.2, Health and Safety Code; and Section 20, Title 1, Government Code.

HISTORY

1. New section filed 11–25–83; effective thirtieth day thereafter (Register 83, No. 48).
2. Amendment filed 9–26–90; operative 10–26–90 (Register 90, No. 44).
3. Editorial correction of printing error of subsection (j) Brake Adjuster median from printed 21 to correct 50 days (Register 91, No. 46).
4. Amendment filed 8–20–91; operative 9–19–91 (Register 92, No. 1).
5. Amendment of subsection (c), new subsection (d), subsection relettering, and amendment of subsections (g)–(h) and NOTE filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 6–23–95 order transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).
7. New subsection (i), subsection relettering, amendment of newly designated subsection (k), and amendment of NOTE filed 4–23–97 as an emergency; operative 4–23–97 (Register 97, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–21–97 or emergency language will be repealed by operation of law on the following day.
8. Certificate of Compliance as to 4–23–97 order, including further amendment of subsection (i), transmitted to OAL 8–19–97 and filed 9–30–97 (Register 97, No. 40).
9. Amendment of subsection (*l*) filed 6–9–2003; operative 7–9–2003 (Register 2003, No. 24).
10. Change without regulatory effect amending subsections (g)–(i) and (k)–(*l*) filed 10–11–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 41).

§ 16–3326. Station Operation.

The operation of official motor vehicle pollution control device installation and inspection stations shall be subject to the following provisions:

(a) Tools and Tuneup Equipment. Class A stations shall provide those tools and instruments necessary for major engine tuneup analysis, including at least the following or equivalent, singly or in combination. All instruments listed below shall meet the standards established by the bureau.

(1) Ignition analyzer/oscilloscope
(2) Ammeter
(3) Ohmmeter
(4) Voltmeter
(5) Tachometer
(6) Vacuum gauge
(7) Pressure gauge (0–10 psi)
(8) Cam angle dwell meter
(9) Ignition timing light
(10) An engine exhaust combustion analyzer or carbon monoxide analyzer with a range readout of 0–10%, or an automotive exhaust gas analyzer for the measurement of hydrocarbon and carbon monoxide emissions from spark ignition engines.

Effective July 1, 1974, only the automotive exhaust gas analyzer for the measurement of hydrocarbon and carbon monoxide emissions from spark ignition engines shall be acceptable.

(11) Compression tester
(12) Distributor advance tester
(13) Hand vacuum pump

(b) Maintenance of Handbooks and Bulletins. Each licensed station shall maintain in a location readily accessible to its licensed installers a current copy of the following:

(1) The Bureau of Automotive Repair Handbook for Installation and Inspection Stations.

(2) Those tune–up, emission system application and repair manuals, bulletins, and instructions appropriate to the types of systems and devices installed on vehicles undergoing certification.

(c) Certificates of Compliance, Certificates of Noncompliance, and Window Stickers. Licensed stations may purchase certificates of compliance and certificates of noncompliance from the bureau for a fee of four dollars ($4.00) each. Stations may purchase window stickers from the bureau for a fee of seventy–five cents ($0.75) each. A licensed station shall not purchase or otherwise obtain certificates or window stickers from a source other than the bureau. Full payment is required at the time certificates or window stickers are ordered. Certificates and window stickers are not exchangeable following delivery. A licensed station shall not sell or otherwise transfer unused certificates or window stickers.

As used in this article, "window sticker" means an adhesive label issued by the bureau to licensed stations to be affixed to the windshield of a vehicle to attest that the vehicle upon which it is displayed is equipped with an officially approved and properly installed oxides of nitrogen exhaust control device, or that the vehicle is properly exempt from those requirements.

(d) Exempt Vehicles. No station licensee or installer shall issue or certify, in the official capacity of a licensed station or installer, any statement, form, certificate, or other document which exempts or purports to exempt any motor vehicle from the requirements of Part 5 (beginning with Section 43000) of Division 26 of the Health and Safety Code, or the rules and regulations of the California Air Resources Board, except as provided in the Bureau of Automotive Repair Handbook for Installation and Inspection Stations, or as otherwise approved by the bureau.

(e) Issuing Certificates of Compliance and Stickers; Clearing Enforcement Forms. When a customer requests certification of a motor vehicle pollution control device or correction of a violation noted on an enforcement form, the licensed station shall certify in accordance with the following:

(1) Clearance of Enforcement Forms. A licensed installer in a licensed motor vehicle pollution control installation and inspection station shall certify the correction of all motor vehicle pollution control devices whenever an enforcement form is cleared.

(2) Certification of Correction of Violation. Certification by a licensed installer on an enforcement form that a violation has been corrected shall include date of correction, station and installer license number, and the installer's signature. In conjunction with such certification, the installer shall also issue an appropriate certificate.

(3) The Certification of Vehicles. When a licensed installer certifies emission control systems that are required on the same vehicle, the installer shall not certify systems separately. Certification shall be made only when a licensed installer finds all required devices in compliance with the requirements of the bureau. Separate certification of an individual device or system is permissible when performed in accordance with subsection (e)(5) of this section.

(4) Identification of Vehicle on Certificate. A certificate of compliance shall not be signed by any licensed installer unless such certificate identifies a specific vehicle.

(5) Partial Certification of a New Vehicle. When a licensed installer makes a specific adjustment or repair to the emission control system of a new vehicle before delivery, the installer may make the adjustment or repair without performing all the steps required to certify the entire vehicle. The licensed installer shall show that such an adjustment was made by checking the appropriate box(es) on the certificate and by writing "new vehicle" across the face of the certificate. The installer shall take a hydrocarbon/carbon monoxide level reading and shall record the reading on the certificate.

(6) Dealer's Name on Certificate. Certificates of compliance for vehicles in new and used car dealer inventory may be issued with the dealer's name entered in the space provided for the registered owner.

(7) Issuance of Compliance Window Sticker. After a licensed installer properly installs an oxides of nitrogen exhaust control device in a 1966 through 1970 model year vehicle, the installer shall fill out a compliance window sticker. The installer shall affix the sticker to the lower corner of the windshield in accordance with the provisions of Section 26708(b)(3) of the Vehicle Code.

(8) Issuance of Exempt Window Sticker. When a 1966 through 1970 model year vehicle is properly declared exempt from the requirements for an oxides of nitrogen exhaust control device pursuant to the exemption list adopted by the Air Resources Board, the licensed installer shall fill out an exempt window sticker. The installer shall affix the exempt sticker to the corner of the windshield in accordance with the provisions of Section 26708(b)(3) of the Vehicle Code.

NOTE: Authority cited: Sections 9882, 9888.2 and 9889.19, Business and Professions Code. Reference: Sections 9888.2, 9889.17, 9889.18 and 9889.19, Business and Professions Code; Sections 2814, 27157, 27157.5, 27158, 27158.5 and 40616, Vehicle Code; and Part 5 (commencing with Section 43000) of Division 26, Health and Safety Code.

HISTORY

1. Amendment filed 2–22–83; effective thirtieth day thereafter (Register 83, No. 9). For prior history, see Register 81, No. 43.
2. Amendment of subsection (c) filed 7–12–85; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 85, No. 28).
3. Amendment of subsection (c) filed 3–28–86; effective thirtieth day thereafter (Register 86, No. 13).

§ 16–3327. Inspection Procedures and Certification Requirements.

The inspection procedures and certification instructions contained herein constitute the requirements for certifying the compliance of motor vehicle pollution control devices. All inspection, testing, installation, adjusting and/or repairing shall be performed in accordance with the vehicle or device (original equipment or retrofit) manufacturer's specifications and recommended repair procedures. Each vehicle for which a certificate is requested shall first be inspected in accordance with the following procedures:

(a) Inspection Procedures

The licensed installer shall:

(1) Verify the year, make, and model of the vehicle and the year, make, and model of the engine being inspected.

(2) Determine that the vehicle and engine are properly equipped with the required California or federal emission control systems and devices.

(3) Inspect, test, and adjust or repair those emission control systems and devices as required, in accordance with the vehicle or device manufacturer's specifications and procedures.

(4) Determine that the ignition system is operating properly and is free of any misfires and that all required adjustments are made and set to manufacturer's specifications.

(5) Determine that the carburetion or fuel injection system is operating properly and that all required adjustments are made and set to manufacturer's specifications.

(6) Measure and record final hydrocarbon (HC) and carbon monoxide (CO) readings at idle after completion of Steps 1 through 5 to verify the success of repairs and/or adjustments made in accordance with vehicle manufacturers specifications.

(b) Certification Requirements

(1) Internal engine malfunctions shall not be grounds for denial of certification.

(2) If all emission control systems (including ignition and fuel systems) are functioning in a manner which satisfies the requirements of Subsection(a), a certificate of compliance or certificate of noncompliance, as appropriate, shall be issued.

(3) The installer shall determine whether to issue a certificate of compliance or a certificate of noncompliance in accordance with the following criteria:

(A) A certificate of noncompliance is issued if the vehicle year model is within one year of the current year, and the vehicle is a 49–state certified vehicle, and the vehicle's odometer mileage is less than 7,500 miles.

(B) A certificate of compliance is issued in all other cases.

(4) The licensed installer shall properly complete the certificate with all information pertaining to the vehicle inspected, and shall sign and date the certificate upon completion of the inspection and adjustment procedures.

NOTE: Authority cited: Sections 9882 and 9888.2, Business and Professions Code. Reference: Section 9889.18, Business and Professions Code.

HISTORY

1. Amendment filed 7–25–75 as an emergency; effective upon filing (Register 75, No. 30).
2. Amendment of subsection (b)(8)(c) filed 11–21–75 as an emergency; effective upon filing. Certificate of Compliance included (Register 75, No. 47).
3. Certificate of Compliance as to 7–25–75 filing filed 11–21–75 (Register 75, No. 47).
4. Repealer and new section filed 2–22–83; effective thirtieth day thereafter (Register 83, No. 9).

§ 16–3340.1. Definitions.

In this article, unless the context otherwise requires:

(a) "Heavy duty vehicle" means a vehicle with a manufacturer's gross vehicle weight rating of 8501 pounds or more.

(b) "Implementation area" means a geographical area, in which a local district has requested implementation of a biennial inspection program pursuant to section 44003 of the Health and Safety Code.

(c) "Smog check station" or "station" means a smog check test–only station or smog check test–and–repair station licensed by the bureau in the smog check program.

(d) "Smog check test–only station" or "test–only station" means a smog check station licensed by the bureau to test and inspect vehicles in the smog check program.

(e) "Smog check test–and–repair station" or "test–and–repair station" means a smog check station licensed by the bureau to test, inspect, diagnose and repair vehicles in the smog check program.

(f) "Smog check technician" or "technician" means an individual who holds one of the technician licenses specified in section 3340.28 of this article.

(g) "Emissions inspection system" or "EIS" means a tamper–resistant instrument which meets the requirements of subdivision (b) of section 44036 of the Health and Safety Code and which is certified by the bureau for use in the California Smog Check program.

(h) "Bureau" or "BAR" means the Bureau of Automotive Repair.

(i) "Smog check program" or "program" means the motor vehicle inspection program conducted pursuant to section 44005 of the Health and Safety Code, and as hereby described in this article.

(j) "ARD–exempt heavy–duty station" means a smog check test–and–repair station or a smog check test–only station that only tests and/or repairs commercial vehicles which have a gross vehicle weight rating of 10,000 pounds or greater.

(k) "Enhanced area" or "Enhanced vehicle inspection and maintenance program area" means the smog check program conducted in any part of an urbanized area of the state which is classified by the Environmental Protection Agency as a serious, severe or extreme nonattainment area for ozone or a moderate or serious nonattainment area for carbon monoxide with a design value greater than 12.7 ppm.

(l) "Basic area" or "Basic vehicle inspection and maintenance program area" means the smog check program conducted in any area of the state which is not classified as an enhanced vehicle inspection and maintenance program area.

(m) "Gaseous fuel" means fuel composed of propane, liquefied or compressed natural gas.

(n) "Supervising technician" means the licensed technician that performs the after repairs test of a vehicle that has failed an inspection at a smog check station.

(o) "After repairs test" means a test performed on a vehicle after repairs have been made to that vehicle as a result of failing an inspection at a smog check station.

(p) "Test–only facility" means a facility contracted by the bureau to test and inspect vehicles.

(q) "Gold Shield station" means a registered Automotive Repair Dealer who is also a smog check test–and–repair station which has been certified by the department and meets all the requirements specified in Article 10, of these regulations.

(r) "Comparative Failure Rate" or "CFR" means that the station's failure rate, under the Gold Shield Program, must be comparable to the test–only station failure rate for all non–directed vehicles of the same model–year. The station's failure rate, using initial tests, by model–year, of non–directed vehicles is applied to an industry–wide failure rate for test–only stations, calculated quarterly by smog check program area, using initial tests, by model–year, of non–directed vehicles inspected, and includes an allowable deviation to compensate for the random distribution of passing and failing vehicles based upon a 95 percent confidence level.

(s) "Non–directed vehicle" means a vehicle that was not required to be inspected at a test–only station pursuant to Sections 44010.5 or 44014.7 of the Health and Safety Code.

(t) "Clean piping," for the purposes of Health and Safety Code section 44072.10(c)(1), means the use of a sample of the exhaust emissions of one vehicle in order to cause the EIS to issue a certificate of compliance for another vehicle.

(u) "Initial test" means the first Smog Check inspection of a vehicle done in official test mode or pre–test mode and performed within one hundred eighty (180) days prior to a registration renewal date or a change of ownership date for that vehicle. An initial test does not include tests that are aborted before completion or tests done in the training or manual modes of the EIS.

(v) "Vehicle Information Database" or "VID" means a centralized computer database and computer network, which is readily accessible by all licensed smog check technicians on a real time basis.

(w) "Repair Assistance" means a component of the Consumer Assistance Program (CAP) that provides financial assistance for emissions–related repairs to help eligible motor vehicle owners bring their vehicles into compliance with the requirements of the Smog Check Program.

(x) "Household" means a family of persons or any group of two or more unrelated persons that reside together and share common living expenses.

(y) "Vehicle Retirement" means a component of the Consumer Assistance Program (CAP) that provides payments to eligible motor vehicle owners who choose to voluntarily retire their vehicles from operation rather than make emissions–related repairs to bring the vehicles into compliance with the requirements of the Smog Check Program.

(z) "Dismantler" means an automobile dismantler, as defined in Section 220 of the Vehicle Code and licensed pursuant to Section 11500 of the Vehicle Code, who has contracted with the Bureau to retire vehicles from operation.

(aa) "Revivable Junk Receipt" means a receipt showing proof that the vehicle is recorded and titled as "junked" by the Department of Motor Vehicles.

(bb) "Vehicle Inspection Report" or "VIR" means an official smog check inspection report that is printed from an emissions inspection system and given to the registered vehicle owner(s) or their legal representative.

(cc) "Consumer Assistance Program" or "CAP" means a program of the Bureau of Automotive Repair that provides eligible motor vehicle owners the options of Repair Assistance and Vehicle Retirement.

NOTE: Authority cited: Sections 44001.5, 44002, 44072.10, 44091 and 44095, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Sections 44001.3, 44005, 44010.5, 44011, 44012, 44014, 44014.2, 44014.5, 44017, 44017.1, 44030, 44036, 44037.1, 44056, 44062.1, 44070, 44072.10, 44092, 44093, 44094 and 44103, Health and Safety Code; Sections 220 and 11500, Vehicle Code; and Section 11505, Government Code.

HISTORY

1. New article 5.5 (sections 3340.1–3340.50.5) filed 3–23–84; effective upon filing pursuant to Government Code section 11346.2(d) (Register 84, No. 12).
2. New subsection (j) filed 8–24–88; operative 9–23–88 (Register 88, No. 37).
3. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
4. New subsection (k) filed 5–11–90; operative 6–10–90 (Register 90, No. 26).
5. Repealer of subsection (e), subsection relettering, amendment of newly designated subsections (e) and (k), new subsections (*l*)–(o) and NOTE filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
6. New subsection (p) and amendment of NOTE filed 8–17–95 as an emergency; operative 8–17–95 (Register 95, No. 33). A Certificate of Compliance must be transmitted to OAL by 12–15–95 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 6–23–95 order including amendment of subsection (m) transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).
8. Certificate of Compliance as to 8–17–95 order transmitted to OAL 12–15–95 and filed 1–25–96 (Register 96, No. 4).
9. Amendment of subsection (g) filed 4–29–96 as an emergency; operative 4–29–96 (Register 96, No. 18). A Certificate of Compliance must be transmitted to OAL by 8–27–96 or emergency language will be repealed by operation of law on the following day.
10. Amendment of subsection (c) and (d), new subsection (e) and subsection relettering, repealer of previously designated subsection (f), and amendment of subsections (g), (k) and (*l*) filed 7–26–96 as an emergency; operative 7–26–96 (Register 96, No. 30). A Certificate of Compliance must be transmitted to OAL by 11–25–96 or emergency language will be repealed by operation of law on the following day.
11. Certificate of Compliance as to 4–29–96 order transmitted to OAL 8–21–96 and filed 9–30–96 (Register 96, No. 40).
12. Editorial correction of subsection (p) (Register 97, No. 2).
13. Certificate of Compliance as to 7–26–96 order, including further amendment of subsection (g), transmitted to OAL 11–19–96 and filed 1–6–97 (Register 97, No. 2).
14. New subsections (q) and (r) and amendment of NOTE filed 4–23–97 as an emergency; operative 4–23–97 (Register 97, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–21–97 or emergency language will be repealed by operation of law on the following day.
15. Certificate of Compliance as to 4–23–97 order, including new subsections (s)–(t) and further amendment of NOTE, transmitted to OAL 8–19–97 and filed 9–30–97 (Register 97, No. 40).
16. New subsections (u)–(x) and amendment of NOTE filed 10–30–98 as an emergency; operative 10–30–98 (Register 98, No. 44). A Certificate of Compliance must be transmitted to OAL by 3–1–99 or emergency language will be repealed by operation of law on the following day.
17. New subsections (ad)–(ag) and amendment of NOTE filed 12–3–98 as an emergency; operative 12–3–98 (Register 98, No. 49). A Certificate of Compliance must be transmitted to OAL by 4–2–99 or emergency language will be repealed by operation of law on the following day.
18. New subsections (u)–(x) and amendment of NOTE refiled 2–25–99 as an emergency; operative 3–1–99 (Register 99, No. 9). A Certificate of Compliance must be transmitted to OAL by 6–29–99 or emergency language will be repealed by operation of law on the following day.
19. New subsections (ad)–(ag) and amendment of NOTE refiled 3–30–99 as an emergency; operative 4–2–99 (Register 99, No. 14). A Certificate of Compliance must be transmitted to OAL by 8–2–99 or emergency language will be repealed by operation of law on the following day.
20. Certificate of Compliance as to 2–25–99 emergency, including amendment of subsection (x) and NOTE, transmitted to OAL 3–18–99 and filed 4–15–99; effective 5–1–99 (Register 99, No. 16).
21. New subsections (ad)–(ag) and amendment of NOTE refiled 7–26–99 as an emergency; operative 8–2–99 (Register 99, No. 31). A Certificate of Compliance must be transmitted to OAL by 11–30–99 or emergency language will be repealed by operation of law on the following day.
22. Certificate of Compliance as to 7–26–99 order, including further amendment of subsections (ad)–(ag) and NOTE, transmitted to OAL 11–18–99 and filed 1–3–2000 (Register 2000, No. 1).
23. Amendment of subsection (v) and repealer of subsection (w) filed 3–27–2000 as an emergency; operative 3–27–2000 (Register 2000, No. 13). A Certificate of Compliance must be transmitted to OAL by 7–25–2000 or emergency language will be repealed by operation of law on the following day.
24. Amendment of subsection (v), repealer of subsection (af), redesignation and amendment of subsections (x)–(ag) as subsections (w)–(z), new subsection (aa) and amendment of NOTE filed 6–26–2000 as an emergency; operative 7–1–2000 (Register 2000, No. 26). A Certificate of Compliance must be transmitted to OAL by 10–30–2000 or emergency language will be repealed by operation of law on the following day.
25. Amendment of subsection (v), repealer of subsection (af), redesignation and amendment of subsections (x)–(ag) as subsections (w)–(z), new subsection (aa) and amendment of NOTE refiled 10–30–2000 as an emergency; operative 10–30–2000 (Register 2000, No. 44). A Certificate of Compliance must be transmitted to OAL by 2–27–2001 or emergency language will be repealed by operation of law on the following day.
26. Certificate of Compliance as to 10–30–2000 order, including further amendment of subsections (v)–(y), new subsection (z), subsection relettering, and amendment of newly designated subsection (bb), transmitted to OAL 2–9–2001 and filed 3–27–2001 (Register 2001, No. 13).
27. Amendment of subsection (g), new subsection (t), subsection relettering and amendment of NOTE filed 3–3–2003; operative 4–2–2003 (Register 2003, No. 10).
28. Amendment of subsection (q), repealer and new subsections (r) and (s), new subsection (u), repealer of former subsection (v) and subsection relettering filed 4–28–2003; operative 5–28–2003 (Register 2003, No. 18).
29. Editorial correction restoring inadvertently omitted subsection (h) (Register 2006, No. 19).
30. Amendment of subsections (c)–(g), (i)–(j), (q)–(v) and (bb)–(cc) filed 5–30–2006; operative 6–29–2006 (Register 2006, No. 22).

§ 16–3340.5. Vehicles Exempt from Inspections.

(a) In addition to the vehicles exempted from the program by Section 44011 of the Health and Safety Code, the following vehicles are exempted:

(1) any two cylinder vehicle.

(2) any vehicle powered by electricity, diesel fuel, liquid petroleum gas or liquid natural gas.

(3) any two–cycle powered vehicle.

(b) For purposes of Section 44011(c) of the Health and Safety Code, a vehicle's age shall be determined by subtracting the model year from the year its registration expires.

(c) For purposes of Section 44011 of the Health and Safety Code, a "garaged" vehicle is one which is parked overnight at least 50% of the time within an area subject to the Motor Vehicle Inspection Program.

NOTE: Authority cited: Sections 44002, 44005 and 44011, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Section 44011, Health and Safety Code.

HISTORY

1. New subsection (c) filed 3–28–86; effective thirtieth day thereafter (Register 86, No. 13).

§ 16–3340.6. Vehicles Subject to Inspection upon Change of Ownership and Initial Registration in California.

This program shall not replace any requirements contained in Sections 4000.1 and 4000.2 of the Vehicle Code for inspection upon change of ownership or initial registration in California.

NOTE: Authority cited: Section 44002, Health and Safety Code; and sections 4000.1 and 4000.2, Vehicle Code. Reference: Sections 44005 and 44011, Health and Safety Code.

HISTORY

1. Editorial correction of printing error inadvertently omitting Authority and Reference (Register 91, No. 6).

§ 16–3340.10. Licensing of Smog Check Stations.

A registered automotive repair dealer may be licensed as a smog check station in accordance with the following:

(a) Application. An applicant for an initial or renewal license shall submit an application to the bureau on form R–12 (6/96) "Application for Smog Check Station License" along with the fee required in subsection (b).

(b) Fees. Fees are established as follows:

(1) Initial license fee—$100.00.

(2) Renewal license fee if submitted on or before the date of license expiration—$100.00.

(3) Delinquency fee if a renewal license fee is submitted after the date of license expiration—$50.00, which shall be assessed in addition to the $100.00 renewal license fee.

(c) Term of License. A station license shall expire one year from the last day of the month in which the license was issued unless renewed, suspended, rescinded, or terminated by operation of law. The bureau may advance the expiration date to correspond with the automotive repair dealer's registration expiration date. A licensee whose license has expired shall immediately cease to inspect, test, diagnose or repair vehicles or issue certificates as part of the smog check program.

(d) Inspection. An inspection of the applicant's facility shall be made by a representative of the bureau. A license may be issued only for an applicant that meets the qualifications prescribed in this article.

(e) Replacement License. In determining whether a fee is required for a replacement license, the definitions given in section 3306(c)(1) and (2) of this chapter shall apply.

(1) In the event of a change of name or address of a licensee, a new application shall be submitted to the bureau and no fee will be required.

(2) In the event of a change of ownership of a licensed business, a new application and a license fee of $100.00 shall be submitted to the bureau.

(3) In the event a license is lost, destroyed, or mutilated, application shall be made to the bureau for a duplicate license. The person to whom the license was issued shall furnish satisfactory proof of licensure. Upon receipt of application, the bureau shall issue a duplicate license for the unexpired term of the license. Any lost license that is later found shall be returned to the bureau.

(f) No person shall operate a smog check station unless a license to do so has been issued by the department.

STATE OF CALIFORNIA — STATE AND CONSUMER SERVICES AGENCY GEORGE DEUKMEJIAN, Governor

STATE OF CALIFORNIA
DEPARTMENT OF
Consumer Affairs

BUREAU OF AUTOMOTIVE REPAIR
10240 SYSTEMS PARKWAY, SACRAMENTO, CA 95827

APPLICATION FOR SMOG CHECK STATION LICENSE

☐ Biennial Area ☐ Change of Ownership Area

Owner (Please Print)(Last)(First)(Middle)	Soc. Sec. #	Driver's Lic. #
Doing Business As (Business Name)		
Business Address (Number, Street, Suite #)		
City		Zip
California		
Mailing Address (Number, Street, Suite #)		
City State		Zip
Business Telephone Number ( )	ARD Number	Smog Related Lic. #
Licensed Inspector's Name (Last, First, Middle)	Inspector's #	Driver's Lic. #
Qualified Mechanic's Name (Last, First, Middle)		Qual. Mec. #

BUREAU USE ONLY

License #	Date Issued
Receipt Number	
District	Expiration Date

$100.00 Fee — Check or Money Order ONLY
Do Not Send Cash.

Renewal Due at Time of ARD Registration Renewal.

Type of Station: ☐ Test/Repair ☐ Test Only

APPLICANT'S BACKGROUND — (If application is for renewal, complete B, C, & D only) (Check One)

	Yes	No
A. Have you ever previously been issued any license, other than those listed above by this department? If YES, explain below.		
B. Have you ever had any license denied, suspended or revoked by this department or any other state agency? If YES, explain below.		
C. Have you ever been issued a citation by the bureau? If YES, explain below.		
D. Have you ever been convicted of any offense? (Traffic violations involving fines or forfeiture of bail need not be reported). If YES, explain below.		

E. Explain YES answers and list all previous license numbers here. _____

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT AND THAT I HAVE THE EQUIPMENT NOTED ON THE BACK OF THIS APPLICATION AS "REQUIRED EQUIPMENT".

Signature of Applicant	Date

79–4 (5/89)

Figure 1 (Front)

INSTRUCTIONS FOR STATION LICENSE APPLICATION

Before we can issue a station license to you, we must have information required by Section 44030 of the Health and Safety Code. The Chief of the Bureau of Automotive Repair is responsible for maintaining the information you provide. The information may be transferred to other governmental agencies if the agencies need it to perform their legally required duties. You have the right to review the records maintained on you by this bureau, unless the records are identified as confidential information and exempted in Section 1798.3 of the Information Practices Act.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE BUREAU BEFORE THE LICENSE CAN BE ISSUED. THE FORM IS COMPLETED AS FOLLOWS:

OWNER: Owner's Name, Social Security Number and California Driver's License Number. If business is a partnership, provide federal identification number.

DOING BUSINESS AS: Name of the business as listed on the Auto Repair Dealer registration certificate.

BUSINESS ADDRESS: Complete address where the business is being conducted.

MAILING ADDRESS: Complete address where the business receives its mail.

BUSINESS TELEPHONE NUMBER: Telephone number of the business, including area code.

ARD NUMBER: Current Auto Repair Dealer registration number.

RELATED SMOG LICENSE #: List all previously issued Smog related (MVPC or Smog Check) Station License number(s).

LICENSED INSPECTOR: Name, Inspector's License Number and Driver's License Number of Licensed Inspector(s).

REQUIRED EQUIPMENT: All of the Required Equipment listed below must be on the premises in proper working order and in calibration in accordance with the type of station license applied for.

A "Test Only" station should have all testing equipment and manuals to test and/or inspect all affected vehicles including but, not limited to: BAR–approved Exhaust Gas Analyzer", Tachometer (may be part of analyzer), Ignition Timing Light with advance tester, Vacuum Pump, equipment to retrieve trouble codes from on–board computers, Fillpipe Restrictor Dowel, Emission Control System Application Guide and Vacuum Routing Diagram, and BAR bulletins and publications as appropriate.

In addition to the equipment for "Test Only" stations, a "Test/Repair" station is required to have engine diagnostic & repair tools for diagnosing and repairing ignition, fuel, and emission control systems and related components for each vehicle type that the station works on. This includes, but is not limited to the following: Ignition Analyzer/Oscilloscope, Cam Angle (Dwell) Meter, Digital Volt/Ohmmeter, Vacuum–pressure Gauge, Artificial Enrichment (Propane Gain) Tool**, and Emission Control Service & Repair Manuals.

Stations performing biennial smog inspections are required to use a BAR–90 analyzer as of 7/1/90 pursuant to Section 44036 of the Health and Safety code. Stations in geographic areas where only change of ownership inspections are performed may retain the use of a BAR–80 or BAR–84 analyzer until 1/1/92, at which time a BAR–90 analyzer is required.

Emission Control Application Guide for the following years are required: 1966 to current for domestic vehicles; 1968 to current for foreign cars and trucks. Emission Control Tune–Up, Diagnostic and Repair Manuals are required for types of vehicles tested and repaired at station.

Stations should be aware that bar code reader may be a required addition to BAR–90 Analyzer after program start–up.

APPLICANT'S BACKGROUND: This Section must be Completed in its entirety. Any applicable information not provided may result in denial of this application of legal action later to revoke this license.

SIGNATURE: Sign and date the application. Your signature affirms that all required equipment and manuals are present and in satisfactory condition and that all statements are true and correct. Any false statements made on this application may results in denial of the application or legal action later to revoke this license.

FEE: PLEASE ENCLOSE $100.00 APPLICATION FEE, CHECK OR MONEY ORDER, WITH YOUR COMPLETED APPLICATION.

DO NOT SEND CASH

Figure 1 (Back)

NOTE: Authority cited: Sections 44002 and 44034, Health and Safety Code; and Sections 163.5 and 9882, Business and Professions Code. Reference: Sections 44030, 44033 and 44034, Health and Safety Code.

HISTORY

1. Amendment of subsections (b) and (e)(2) filed 6–21–89; operative 6–21–89 (Register 89, No. 25).
2. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
3. Amendment of subsections (a) and (c) filed 7–26–96 as an emergency; operative 7–26–96 (Register 96, No. 30). A Certificate of Compliance must be transmitted to OAL by 11–25–96 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 7–26–96 order, including further amendment of subsection (c), transmitted to OAL 11–19–96 and filed 1–6–97 (Register 97, No. 2).

§ 16–3340.15. General Requirements for Smog Check Stations.

A smog check station shall meet the following requirements for licensure and shall comply with these requirements at all times while licensed.

(a) The testing and repairing of vehicles shall be performed only in a work area of the station that has been approved by the bureau during the licensing inspection. Other work may be performed in the approved area, as desired. Except for heavy–duty vehicles, the work area shall be within a building and shall be large enough to accommodate the type of vehicle being serviced. In the case of the testing and repair of heavy–duty vehicles the work area need not be in a building, but the emissions inspection system used at the station may only be used within a building. The work area shall be kept clean and orderly.

(b) During all hours the station is open for the business of testing and/or repairing vehicles pursuant to the Smog Check Program, a technician, licensed for the appropriate category of vehicle being tested or repaired and the appropriate area, shall be present.

(c) A smog check station shall not have in its employ more than two intern technicians at any given time. The repairs or adjustments made by intern technicians at smog check stations to emissions control systems on vehicles subject to the Smog Check Program shall be performed under the direction of a supervising technician that is on the premises of the smog check station at the time of the repair or adjustment.

(d) The station license and technician licenses shall be posted prominently under glass or other transparent material in an area frequented by customers.

(e) The station shall post conspicuously in an area frequented by customers a list of price ranges for the specific activities for which it is licensed. The posted prices shall include the price charged by the station for inspections, and, if a separate price is charged for reinspections, the reinspection price. The station shall also post the inspection prices for vans and/or heavy–duty vehicles if those prices differ from the passenger car inspection price. If the station imposes an hourly labor charge for repairs, the hourly labor rate shall be posted. The price of issuance of a certificate of compliance or noncompliance charged by the bureau shall be posted separately from the price of the inspection and of the reinspection, if any.

(f) The station shall make, keep secure, and have available for inspection on request of the bureau, or its representative, legible records showing the station's transactions as a licensee for a period of not less than three years after completion of any transaction to which the records refer. All records shall be open for reasonable inspection and/or reproduction by the bureau or its representative. Station records required to be maintained shall include copies of:

(1) All certificates of compliance and certificates of noncompliance in stock and/or issued,

(2) Repair orders relating to the inspection and repair activities, and

(3) Vehicle inspection reports generated either manually or by the emissions inspection system.

The above listed station records shall be maintained in such a manner that the records for each transaction are kept together, so as to facilitate access to those records by the bureau or its representative. In this regard, the second copy of an issued certificate shall be attached to the final invoice record.

(g) A smog check station shall be open and available to the general public for Smog Check Program services.

(h) A smog check station shall afford the bureau or its representative reasonable access during normal business hours to the station for the bureau's quality assurance efforts to evaluate the effectiveness of tests and/or repairs made to vehicles subject to the Smog Check Program.

(i) A licensed smog check station shall not sublet inspections or repairs required as part of the Smog Check Program, except for the following:

(1) Repairs of a vehicle's exhaust system which are normally performed by muffler shops, provided that the malfunction has been previously diagnosed by the specific smog check station originally authorized by the customer to perform repairs to the vehicle.

(2) Repairs of those individual components that have been previously diagnosed as being defective and that have been removed by the specific smog check station originally authorized by the customer to perform repairs to the vehicle.

NOTE: Authority cited: Section 44002 and 44030, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Sections 44014, 44030, 44032, 44033, 44036, 44037 and 44045.5, Health and Safety Code.

HISTORY

1. Amendment of subsection (g) and repealer of subsection (h) filed 3–28–84; effective thirtieth day thereafter (Register 86, No. 13).
2. Amendment of subsection (d) filed 8–24–88; operative 9–23–88 (Register 88, No. 37).
3. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
4. Editorial correction of printing error in subsection (g) (Register 91, No. 6).
5. Amendment of subsection (e) filed 10–23–91; operative 11–22–91 (Register 92, No. 35).
6. Amendment of subsection (d) filed 8–18–92; operative 9–17–92 (Register 92, No. 37).
7. Repealer of subsection (b), subsection relettering, amendment of newly designated subsection (b), new subsection (c), and amendment of subsection (d) and NOTE filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
8. Certificate of Compliance as to 6–23–95 order transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).
9. New subsections (h)–(i)(2) and amendment of NOTE filed 4–15–97 as an emergency; operative 4–15–97 (Register 97, No. 16). A Certificate of Compliance must be transmitted to OAL by 8–13–97 or emergency language will be repealed by operation of law on the following day.
10. Editorial correction of HISTORY 9 (Register 97, No. 29).
11. Certificate of Compliance as to 4–15–97 order, including amendment of subsections (i)–(i)(2), transmitted to OAL 8–11–97 and filed 9–18–97 (Register 97, No. 38).
12. Amendment of subsection (a) filed 6–9–2003; operative 7–9–2003 (Register 2003, No. 24).
13. Change without regulatory effect amending section filed 10–11–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 41).

§ 16–3340.16. Test–Only Station Requirements.

(a) A smog check test–only station operating in other than an enhanced program area shall have all testing equipment and emission application and reference manuals necessary to test and/or inspect all affected vehicles, including the following:

(1) An emissions inspection system, in accordance with the bureau's BAR–97 Emissions Inspection System Specifications as provided in subsection (a) of section 3340.17 of this article.

(2) An ignition timing light, which measures ignition advance.

(3) A hand vacuum pump and a vacuum gauge.

(4) Basic hand tools necessary to inspect vehicle ignition, fuel delivery, and emission control systems.

(5) A device capable of retrieving trouble codes from vehicles with on–board computers, along with instructions on how to extract codes, and definitions of codes found.

(6) A fuel fillpipe restrictor dowel gauge meeting the following specifications:

(A) Made of a non–sparking material meeting the standard for hardness of aluminum alloy No. 5052 as defined in Volume 02.02 of section 2 of the 1986 Annual Book of Standards published by the American Society for Testing and Materials;

(B) Having a radiused test portion;

(C) Having a test portion diameter not less than 0.9375 inches or more than 0.950 inches;

(D) Having an overall length not less than 5 inches or more than 12 inches;

(E) Having a handle no less than 1.25 inches in diameter, and no less than 4 inches in length; and

(F) Constructed of solid bar stock or tubing with a minimum wall thickness of 3/16 of an inch.

(7) The most currently available emission control system application information as contained in any of the nationally distributed and periodically updated manuals that address emission control systems applications; vacuum routing diagrams for all vehicles being tested; electronic component location manuals; and specifications for those functional tests currently prescribed by the bureau.

(8) The most currently available bureau manuals and bulletins.

(9) An evaporative emission control inspection system that meets subsections (a) through (h) and (j) of section 2.8 of the emissions inspection system specifications referenced in subsection (b) of section 3340.17 of this Article.

(10) On and after November 1, 2007, low–pressure fuel evaporative test equipment that has been certified by the bureau as compliant with the *Low–Pressure Fuel Evaporative Tester* (LPFET) *Specifications* dated October 2006 and hereby incorporated by reference. The test equipment shall be maintained and calibrated in accordance with the LPFET Specifications referenced in this paragraph and in accordance with the manufacturer's specifications. Vehicle data low–pressure fuel evaporative test results shall be transmitted to a database specified by the department in accordance with the procedures contained in the LPFET Specifications referenced in this paragraph, which include the form, manner and frequency of data transmittals.

(b) A smog check test–only station operating in an enhanced program area shall have all of the equipment and materials specified by and conform to the requirements of subsection (a) above, except for paragraphs (1) and (5), and an emissions inspection system in accordance with the bureau's BAR–97 Emissions Inspection System Specifications as provided in subsection (b) of section 3340.17 of this article. A smog check test–only station operating in an enhanced area shall have a tire pressure gauge capable of accurately measuring tire pressure at the specification for the vehicles being tested and inspected using the loaded–mode test procedure.

(c) A smog check test–only station shall post conspicuously, in an area frequented by consumers, a notice to the effect that the station is licensed to test vehicles only, and cannot make any required diagnosis or repairs to a vehicle which has failed a smog check test.

(d) A smog check test–only station shall not engage in any automotive repair work.

(e) No smog check test–only station may refer a vehicle owner to a particular automotive repair dealer or provider of smog check repair services. The test–only station shall make available to each customer a list prepared by the bureau of all smog check stations in that region licensed to make repairs of vehicular emission control systems, which shall include licensed stations certified under the Gold Shield program. Stations and technicians are prohibited from altering or revising the list supplied by the bureau. For the purpose of this subsection, the term "make available" means to grant access to.

(f) A smog check test–only station shall not have ownership in, corporate interest in, nor any financial interest in a smog check test–and–repair station within a geographical radius of 50 statute miles of the test–only station.

NOTE: Authority cited: Sections 44001.5, 44002, 44013 and 44036, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Sections 44010, 44012, 44013, 44014, 44014.5, 44015, 44017.1, 44033, 44036 and 44037.1, Health and Safety Code.

HISTORY

1. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
2. New subsection (c) filed 5–11–90; operative 6–10–90 (Register 90, No. 26).
3. Editorial correction of HISTORY 2. (Register 90, No. 45).
4. Amendment of subsection (a)(5) filed 10–23–91; operative 11–22–91 (Register 92, No. 35).
5. Amendment of section heading filed 8–18–92; operative 9–17–92 (Register 92, No. 37).
6. Amendment of subsections (a)–(a)(5), new subsections (a)(9) and (b) and subsection relettering, and amendment of newly designated subsection (c) filed 7–26–96 as an emergency; operative 7–26–96 (Register 96, No. 30). A Certificate of Compliance must be transmitted to OAL by 11–25–96 or emergency language will be repealed by operation of law on the following day.
7. Editorial correction of subsection (a)(3) (Register 97, No. 2).
8. Certificate of Compliance as to 7–26–96 order, including further amendment of subsection (a)(5) and repealer of subsection (a)(9), transmitted to OAL 11–19–96 and filed 1–6–97 (Register 97, No. 2).
9. Amendment of section heading and subsection (a)(6)(B), repealer and new subsection (d), new subsections (e) and (f) and amendment of NOTE filed 4–15–97 as an emergency; operative 4–15–97 (Register 97, No. 16). A Certificate of Compliance must be transmitted to OAL by 8–13–97 or emergency language will be repealed by operation of law on the following day.
10. Editorial correction of HISTORY 9 (Register 97, No. 29).
11. Editorial correction of subsection (f) (Register 97, No. 38).
12. Certificate of Compliance as to 4–15–97 order transmitted to OAL 8–11–97 and filed 9–18–97 (Register 97, No. 38).
13. New subsection (a)(9) filed 11–12–98 as an emergency; operative 11–12–98 (Register 98, No. 46). A Certificate of Compliance must be transmitted to OAL by 3–12–99 or emergency language will be repealed by operation of law on the following day.
14. Editorial correction repositioning subsection (a)(9) (Register 98, No. 47).
15. Certificate of Compliance as to 11–12–98 order transmitted to OAL 3–10–99 and filed 4–21–99 (Register 99, No. 17).
16. Amendment of subsections (a)(6)(A)–(E), (a)(7) and (b) filed 2–1–2001; operative 2–1–2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 5).
17. Amendment of subsections (a)(1), (a)(9) and (b) filed 2–15–2002 as an emergency; operative 2–15–2002 (Register 2002, No. 7). A Certificate of Compliance must be transmitted to OAL by 6–17–2002 or emergency language will be repealed by operation of law on the following day.
18. Certificate of Compliance as to 2–15–2002 order transmitted to OAL 6–13–2002 and filed 7–26–2002 (Register 2002, No. 30).
19. Amendment of subsections (a), (a)(1) and (b) filed 6–9–2003; operative 7–9–2003 (Register 2003, No. 24).
20. Editorial correction of subsection (e) (Register 2004, No. 22).
21. Amendment of section and NOTE filed 5–30–2006; operative 6–29–2006 (Register 2006, No. 22).
22. New subsection (a)(10) and amendment of NOTE filed 8–1–2007; operative 8–1–2007 pursuant to Government Code section 11343.4 (Register 2007, No. 31).

§ 16–3340.16.5. Test–and–Repair Station Requirements.

(a) A smog check test–and–repair station operating in a basic area shall have the equipment and materials specified by, and conform to the requirements of, subsection (a) of section 3340.16 of this article and, in addition, shall have engine diagnostic equipment and repair tools that are capable of diagnosing and repairing engine ignition systems, fuel systems, emission control systems, computer engine control systems, and other related components for each vehicle type that the station diagnoses and repairs. The equipment or repair tools may be separate units, or part of a multi–functional unit. At a minimum, the station shall have the following materials, tools, and equipment:

(1) An ignition analyzer or ignition oscilloscope capable of displaying ignition system operation of vehicles subject to the smog check program. At a minimum, the device shall display:

(A) Primary ignition system voltage and coil oscillations; and

(B) Firing voltage and spark duration of the secondary ignition in either analog or digital form. For distributor–equipped systems, the device shall be capable of displaying this information for all cylinders at the same time.

(2) A compression tester.

(3) A tachometer/dwell meter.

(4) A fuel pressure gauge capable of measuring the higher pressures of fuel–injected vehicles.

(5) A propane enrichment kit.

(6) An ammeter capable of measuring amps and milliamps.

(7) A high impedance digital volt/ohmmeter.

(8) Hand tools necessary to adjust, maintain, and repair vehicular ignition, fuel delivery, and emission control systems.

(9) Diagnostic and repair information for all vehicles being tested and repaired. Such information may be in printed or electronic form and may be nationally distributed and periodically updated references that contain repair and emission procedures. These references must be up to date and include current model year supplements for automobile emission control systems. Electronic references shall be provided in printed form upon request from the bureau.

(10) The most currently available bureau test and repair manuals.

(11) Automotive computer diagnostic and repair manuals.

(12) Electronic component location manuals.

(13) A device capable of retrieving trouble codes from vehicles with on–board computers, along with instructions on how to extract codes, and definitions of codes. This device shall have the ability to display and store data streams from the on–board computer systems of vehicles. The device shall be On–Board Diagnostic II compliant, and shall have the Enhanced E/E Diagnostic Test Modes capabilities as noted in the Society of Automotive Engineers' document number J2190 dated June 1993. Diagnostic data modules required to operate the device shall be kept updated to the current available calendar year.

(b) A smog check test–and–repair station operating in an enhanced area shall have all of the equipment and materials specified by, and conform to the requirements of subsection (a) above, and:

(1) An emissions inspection system in accordance with the bureau's BAR–97 Emissions Inspection System Specifications as provided in subsection (b) of section 3340.17 of this article.

(2) An electronic device capable of graphically displaying any electrical or electronic signal used by an automotive computer system. The device shall have the capability of displaying the electrical or electronic signal using a voltage and time scale that is adjustable. The device shall have the capability of capturing and displaying a high frequency abnormal signal, regardless of time per division setting, or screen refresh rate. This device may be a separate unit, or be part of a multifunctional unit that also serves to fulfill one or more of the requirements of subsection (a) above.

(3) A tire pressure gauge capable of accurately measuring tire pressure at the specification for the vehicles being tested and inspected using the loaded mode test procedure.

(c) A smog check test–and–repair station that has accepted a vehicle for inspection shall disclose both orally and in writing on the written estimate provided pursuant to Section 9884.9 of the Business and Professions Code, before the initial inspection of the vehicle, if the vehicle is potentially affected by any of the following conditions:

(1) The station does not have adequate equipment, personnel, tools or reference materials to repair the vehicle, should the vehicle fail its inspection; or

(2) The station, as a matter of policy, does not repair certain types, makes or models of vehicles; or

(3) The station, as a matter of policy, does not repair certain types of vehicle inspection failures.

(d) Smog check test–and–repair stations shall not refer a vehicle owner to a particular test–only station for the testing and certification of a vehicle that has been directed to a test–only station for its biennial smog check pursuant to Section 44010.5 and 44014.7 of the Health and Safety Code. Test–and–repair stations shall make available to each customer that presents a test–only directed vehicle for initial testing a list prepared by the bureau of those smog check test–only stations in that region licensed to perform initial tests of, and to certify test–only directed vehicles. Stations and technicians are prohibited from altering or revising the list supplied by the bureau. For the purpose of this subsection, the term "make available" means to grant access to.

(e) A smog check test–and–repair station shall not have ownership in, corporate interest in, nor any financial interest in a smog check test–only station within a geographical radius of 50 statute miles of the test–and–repair station.

NOTE: Authority cited: Section 44002, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Sections 44012, 44030(b) and 44036(b), Health and Safety Code.

HISTORY

1. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
2. New subsection (a)(8) and subsection renumbering filed 10–23–91; operative 11–22–91 (Register 92, No. 35).
3. Amendment of section heading and subsection (a) filed 8–18–92; operative 9–17–92 (Register 92, No. 37).
4. Repealer of subsection (c) and amendment of NOTE filed 4–29–96 as an emergency; operative 4–29–96 (Register 96, No. 18). A Certificate of Compliance must be transmitted to OAL by 8–27–96 or emergency language will be repealed by operation of law on the following day.
5. Amendment of subsections (a) and (a)(3), repealer of subsection (a)(5) and subsection renumbering, amendment of newly designated subsections (a)(6)–(a)(9), new subsections (a)(11)–(b)(2) and subsection relettering filed 7–26–96 as an emergency; operative 7–26–96 (Register 96, No. 30). A Certificate of Compliance must be transmitted to OAL by 11–25–96 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 4–29–96 order transmitted to OAL 8–21–96 and filed 9–30–96 (Register 96, No. 40).
7. Editorial correction of subsection (a)(8) (Register 97, No. 2).
8. Certificate of Compliance as to 7–26–96 order, including further amendment of subsection (a), repealer of subsection (a)(13) and amendment of subsection (b)(2), transmitted to OAL 11–19–96 and filed 1–6–97 (Register 97, No. 2).
9. Amendment of section heading and subsections (a) and (c), and new subsection (d) filed 4–15–97 as an emergency; operative 4–15–97 (Register 97, No. 16). A Certificate of Compliance must be transmitted to OAL by 8–13–97 or emergency language will be repealed by operation of law on the following day.
10. Editorial correction of HISTORY 9 (Register 97, No. 29).
11. Certificate of Compliance as to 4–15–97 order transmitted to OAL 8–11–97 and filed 9–18–97 (Register 97, No. 38).
12. New subsections (a)(13) and (b)(3) filed 2–1–2001; operative 2–1–2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 5).
13. Amendment of subsections (a)–(a)(1), new subsections (a)(1)(A)–(B), amendment of subsection (b)(2) and amendment of NOTE filed 11–27–2001; operative 12–27–2001 (Register 2001, No. 48).
14. Amendment of subsection (b)(1) filed 2–15–2002 as an emergency; operative 2–15–2002 (Register 2002, No. 7). A Certificate of Compliance must be transmitted to OAL by 6–17–2002 or emergency language will be repealed by operation of law on the following day.
15. Certificate of Compliance as to 2–15–2002 order transmitted to OAL 6–13–2002 and filed 7–26–2002 (Register 2002, No. 30).
16. Amendment of section and NOTE filed 5–30–2006; operative 6–29–2006 (Register 2006, No. 22).

§ 16–3340.16.7. Test Equipment and Electronic Transmission Requirements.

NOTE: Authority cited: Section 44002, 44036 and 44037.1, Health and Safety Code. Reference: Sections 44012, 44036(b) and 44037.1, Health and Safety Code.

HISTORY

1. New section filed 4–29–96 as an emergency; operative 4–29–96 (Register 96, No. 18). A Certificate of Compliance must be transmitted to OAL by 8–27–96 or emergency language will be repealed by operation of law on the following day.
2. Amendment of subsection (a) and repealer and new subsection (b) filed 7–26–96 as an emergency; operative 7–26–96 (Register 96, No. 30). A Certificate of Compliance must be transmitted to OAL by 11–25–96 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 4–29–96 order transmitted to OAL 8–21–96 and filed 9–30–96 (Register 96, No. 40).
4. Certificate of Compliance as to 7–26–96 order transmitted to OAL 11–19–96 and filed 1–6–97 (Register 97, No. 2).
5. Repealer filed 2–15–2002 as an emergency; operative 2–15–2002 (Register 2002, No. 7). A Certificate of Compliance must be transmitted to OAL by 6–17–2002 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 2–15–2002 order transmitted to OAL 6–13–2002 and filed 7–26–2002 (Register 2002, No. 30).

§ 16–3340.17. Test Equipment, Electronic Transmission, Maintenance and Calibration Requirements.

(a) Each smog check station operating in other than an enhanced program area shall have a BAR certified emissions inspection system, as specified in subsection (b), except that the hardware and the software necessary to conduct dynamometer based, loaded–mode emissions shall not be required. Vehicle data emission test results shall be transmitted to the department's centralized data base in accordance with the procedures contained in the specifications referenced in subsection (b), which include the form, manner and frequency of data transmittals. The emissions inspection system shall be maintained and calibrated in accordance with the specifications referenced in subsection (b), and in accordance with the manufacturer's specifications. The emissions inspection system shall have the most current software and hardware updates required by the bureau.

(b) Each smog check station operating in an enhanced area shall have a BAR–certified emissions inspection system that meets the specifications contained in the BAR–97 Emissions Inspection System Specifications dated May 1996, as revised through December 2001, hereby incorporated by reference. Vehicle data emission test results shall be transmitted to the department's centralized data base in accordance with the procedures contained in these specifications, which include the form, manner and frequency of data transmittals. The emissions inspection system shall be maintained and calibrated in accordance with the bureau's BAR–97 Emissions Inspection System Specifications referenced in this subsection, and in accordance with the manufacturer's specifications. The emissions inspection system shall have the most current software and hardware updates required by the bureau.

(c) All other diagnostic and repair equipment shall be maintained in good working condition. All equipment requiring calibration or adjust-

[The next page is 113.]

ment shall be calibrated or adjusted in accordance with the instructions of the manufacturer, as approved by the bureau.

(d) An emissions inspection system shall only be used within a building and shall not be used in an environment that would subject the emissions inspection system to excessive heat, cold, dust, or moisture. The specifications for environmental conditions are referenced in the bureau's "BAR Exhaust Gas Analyzer Specifications" dated 1980, as herein incorporated by reference, and in the BAR–97 Emissions Inspection System Specifications referenced in subsection (b) of this section.

(e) Emissions inspection systems shall be calibrated only with BAR–approved gases that are certified in accordance with section 3340.18 of this article.

(f) Only bureau–authorized representatives or authorized manufacturer representatives shall have access to the emissions inspection system for service or inspection.

(g) Emission inspection systems that the bureau finds do not comply with the hardware and software requirements and specifications established in this article will be disconnected from the bureau's centralized computer database and network, and thereby prohibited from being used to perform smog check inspections, and to transmit certificates of compliance to the Department of Motor Vehicles, until they are brought into compliance.

(h) All emissions inspection systems prescribed by subdivision (b) of section 44036 of the Health and Safety Code and used in the smog check program must be connected via modem to a standard, single–party business telephone line, or in the alternative to a high–speed or broadband connection, in order to transmit required program information. The telephone line, or high–speed or broadband connection, must not be used for any other purpose, nor may it be connected to more than one emissions inspection system, nor may it have call waiting or any other special feature that would interfere with the modem's operation or the operation of the high–speed or broadband connection. Smog Check stations shall keep this telephone line, or high–speed or broadband connection, connected to the emissions inspection system at all times.

NOTE: Authority cited: Sections 44002, 44036 and 44037.1, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Sections 44012, 44036 and 44037.1, Health and Safety Code.

HISTORY

1. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
2. Editorial correction of printing error restoring subsection (c) (Register 91, No. 6).
3. Amendment of subsections (a) and (c) filed 4–29–96 as an emergency; operative 4–29–96 (Register 96, No. 18). A Certificate of Compliance must be transmitted to OAL by 8–27–96 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 4–29–96 order transmitted to OAL 8–21–96 and filed 9–30–96 (Register 96, No. 40).
5. Amendment of section heading, section and NOTE filed 2–15–2002 as an emergency; operative 2–15–2002 (Register 2002, No. 7). A Certificate of Compliance must be transmitted to OAL by 6–17–2002 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 2–15–2002 order transmitted to OAL 6–13–2002 and filed 7–26–2002 (Register 2002, No. 30).
7. Redesignation and amendment of former subsection (a) as subsection (a)(1), new subsection (a)(2) and amendment of subsection (d) filed 6–9–2003; operative 7–9–2003 (Register 2003, No. 24).
8. Editorial correction of subsection (a)(2) (Register 2005, No. 44).
9. Amendment of section and NOTE filed 5–30–2006; operative 6–29–2006 (Register 2006, No. 22).

§ 16–3340.18. Certification of Emissions Inspection System Calibration Gases and Blenders of Gases.

Emissions inspection system calibration gases used by smog check stations and gas blenders who provide such calibration gases shall be certified by the bureau in accordance with the requirements of the bureau's "Specifications and Accreditation Procedures for Calibration and Audit Gases Used in the California Emissions I/M Program" publication dated January 1990, as herein incorporated by reference.

NOTE: Authority cited: Sections 44002 and 44036.5. Health and Safety Code. Reference: Section 44036.5. Health and Safety Code.

HISTORY

1. New section filed 9–26–90; operative 10–26–90 (Register 90, No. 44).
2. Editorial correction of HISTORY 1 (Register 95, No. 47).
3. Amendment of section heading and section filed 6–9–2003; operative 7–9–2003 (Register 2003, No. 24).
4. Change without regulatory effect amending section heading and section filed 10–11–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 41).

§ 16–3340.20. Acknowledgment and Waiver Requirement for Licensed Test–and–Repair Stations.

NOTE: Authority cited: Section 44002, Health and Safety Code. Reference: Section 44033(b) and (c), Health and Safety Code.

HISTORY

1. Repealer filed 8–24–88; operative 9–23–88 (Register 88, No. 37).

§ 16–3340.22. Test Station and Test–and–Repair Station Signs.

Each test station and each test–and–repair station shall display an identifying sign that meets the following specifications:

(a) Dimensions. The sign shall be 24 inches wide and 30 inches high.

(b) Sign Material. The sign shall be made of 0.040 aluminum or steel.

(c) Content. Camera–ready design and content of the sign shall be supplied by the bureau.

NOTE: Authority cited: Section 44002, Health and Safety Code. Reference: Section 44033(a), Health and Safety Code.

§ 16–3340.23. Licensed Smog Check Station That Ceases Operating As a Licensed Station.

A smog check station shall cease performing the functions for which it has been licensed when it no longer has in its employ a technician, licensed for the appropriate category of vehicle being tested or repaired and the appropriate area, or when its license has expired or has been surrendered, suspended, or revoked. Such station must dispose of materials related to its formerly licensed activity according to these provisions:

(a) Loss of Services of Licensed Technician. A licensed station that no longer has in its employ a smog check technician, licensed for the appropriate category of vehicle being tested or repaired and the appropriate area, shall immediately remove or cover the smog check station sign in accordance with subsection (b) of this section. If the station does not have in its employ, within 60 days, a smog check technician, licensed for the appropriate category of vehicle being tested or repaired and the appropriate area, the station shall surrender its station license to the bureau and shall return to the bureau all unused certificates of compliance and noncompliance.

(b) Removal of Sign. A licensed station that is no longer authorized to perform the function for which it was licensed shall remove or cover the smog check station sign.

(c) Return of Certificates. When a station license has expired or has been surrendered, suspended or revoked, the station shall return to the bureau all unused certificates purchased by the station.

NOTE: Authority cited: Section 44002, Health and Safety Code. Reference: Sections 44030(a) and (b), 44031, 44032, 44033 and 44045.5, Health and Safety Code.

HISTORY

1. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
2. Amendment of first paragraph, subsection (a) and NOTE filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 6–23–95 order transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).

§ 16–3340.24. Suspension, Revocation, and Reinstatement of Licenses.

(a) Any disciplinary or reinstatement proceeding under this article involving licensed stations, licensed technicians, or fleet owners licensed pursuant to section 44020 of the Health and Safety Code shall be conducted in accordance with chapter 5 (commencing with section 11500) of division 3, Title 2 of the Government Code.

(b) The bureau may suspend or revoke the license of or pursue other legal action against a licensee, if the licensee knowingly and willfully resists, delays, or obstructs any employee of the bureau or any employee

of the quality assurance contractor of the bureau in carrying out the lawful performance of his or her duties.

(c) The bureau may suspend or revoke the license of or pursue other legal action against a licensee, if the licensee falsely or fraudulently issues or obtains a certificate of compliance or a certificate of noncompliance.

(d) The bureau may suspend or revoke the license of or pursue other legal action against a licensee that fails to complete retraining when required by the department, pursuant to section 44045.6 of the Health and Safety Code.

NOTE: Authority cited: Sections 44002 and 44035, Health and Safety Code. Reference: Sections 44020, 44031.5, 44035, 44045.6, 44050 and 44072.2, Health and Safety Code; and Section 11500, et seq., Government Code.

HISTORY

1. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
2. Amendment of first paragraph, subsection (d) and NOTE filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 6–23–95 order transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).

§ 16–3340.25. Licensing of Inspectors.

NOTE: Authority cited: Section 44002, Health and Safety Code; and 163.5, Business and Professions Code. Reference: Sections 44015, 44031 and 44031.5, Health and Safety Code.

HISTORY

1. Amendment of subsections (a), (e) and (f) filed 6–21–89; operative 6–21–89 pursuant to Government Code section 11346.2(d) (Register 89, No. 25).
2. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
3. Repealer filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 6–23–95 order transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).

§ 16–3340.30. General Requirements for Licensed Technicians.

A smog check technician shall comply with the following requirements at all times while licensed.

(a) A licensed technician shall inspect, test and repair vehicles in accordance with section 44012 of the Health and Safety Code, section 44035 of the Health and Safety Code, and section 3340.42 of this article.

(b) A licensed technician shall maintain on file with the bureau a correct mailing address pursuant to section 3303.3 of Article 1 of this Chapter.

(c) A licensed technician shall notify the bureau in writing within two weeks of any change of employment.

(d) A licensed technician whose license has expired shall immediately cease to inspect, test, or repair failed vehicles.

NOTE: Authority cited: Sections 44002, 44013(b), 44016, 44031.5 and 44034, Health and Safety Code; and Section 163.5, Business and Professions Code. Reference: Sections 44012, 44015(a) and (b), 44030(a), 44031.5, 44032, 44034, 44034.1, 44035, 44045.5 and 44045.6, Health and Safety Code.

HISTORY

1. New subsection (h) filed 8–24–88; operative 9–23–88 (Register 88, No. 37).
2. Amendment filed 6–21–89; operative 6–21–89 pursuant to Government Code section 11346.2(d) (Register 89, No. 25).
3. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
4. Amendment of subsections (b) and (e) filed 5–11–90; operative 6–10–90 (Register 90, No. 26).
5. Amendment of subsections (b)(1)–(2) filed 8–18–92; operative 9–17–92 (Register 92, No. 37).
6. Editorial correction adding inadvertently omitted amendment of subsections (a), (c), (f) and NOTE filed 8–16–94 as an emergency; operative 8–16–94 (Register 95, No. 4). A Certificate of Compliance must be transmitted to OAL 12–14–94 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 8–16–94 order transmitted to OAL 12–12–94 and filed 1–24–95 (Register 95, No. 4).
8. Editorial correction of section heading (Register 95, No. 16).
9. Repealer and new section filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 6–23–95 order transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).

§ 16–3340.35. A Certificate of Compliance, Noncompliance, Repair Cost Waiver or an Economic Hardship Extension.

(a) A licensed station shall purchase certificates of compliance and noncompliance from the bureau or an authorized agent of the bureau only, and under the following terms and conditions:

(1) A certificate of compliance or noncompliance shall be purchased by a licensed station for a fee determined pursuant to section 3340.35.1 of these regulations; and

(2) Full payment is required at the time the certificates are ordered.

(b) A licensed station shall not sell or otherwise transfer unused certificates to another licensed station, to a new owner of the business, or to any person other than a customer whose vehicle has been inspected in accordance with the procedures specified in section 3340.42 of this article.

(c) A licensed station shall issue a certificate of compliance or noncompliance to the owner or operator of any vehicle that has been inspected in accordance with the procedures specified in section 3340.42 of this article and has all the required emission control equipment and devices installed and functioning correctly. The following conditions shall apply:

(1) Customers shall be charged the same price for certificates as that paid by the licensed station; and

(2) Sales tax shall not be assessed on the price of certificates.

(d) No person shall sell, issue, cause or permit to be issued any certificate purported to be a valid certificate of compliance or noncompliance unless duly licensed to do so.

(e) A repair cost waiver or an economic hardship extension shall be the same fee as a certificate of compliance or noncompliance.

NOTE: Authority cited: Sections 44002 and 44060, Health and Safety Code. Reference: Sections 44010, 44011, 44014, 44015 and 44060, Health and Safety Code; and Sections 4000.2 and 4000.3, Vehicle Code.

HISTORY

1. Amendment of subsection (a) filed 3–28–86; designated effective 5–1–86 (Register 86, No. 13).
2. Amendment of subsections (a) and (b) filed 8–24–88; operative 9–23–88 (Register 88, No. 37).
3. Amendment of subsection (a)(1) filed 1–25–89; operative 3–1–89 (Register 89, No. 7).
4. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
5. Editorial correction of printing error in subsection (b) (Register 91, No. 6).
6. Amendment of subsection (a)(1) filed 12–18–91; operative 2–1–92 (Register 92, No. 10).
7. Amendment of subsection (a)(1) filed 5–8–95 as an emergency; operative 5–8–95 (Register 95, No. 19). A Certificate of Compliance must be transmitted to OAL by 9–5–95 or emergency language will be repealed by operation of law on the following day.
8. Repealer of subsection (d), subsection relettering, amendment of newly designated subsection (d), and amendment of NOTE filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
9. Certificate of Compliance as to 5–8–95 order transmitted to OAL 8–31–95 and filed 9–25–95 (Register 95, No. 39).
10. Certificate of Compliance as to 6–23–95 order transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).
11. Amendment of subsection (a)(1) and NOTE filed 2–11–97 as an emergency; operative 2–11–97 (Register 97, No. 7). A Certificate of Compliance must be transmitted to OAL by 6–11–97 or emergency language will be repealed by operation of law on the following day.
12. Certificate of Compliance as to 2–11–97 order transmitted to OAL 5–30–97 and filed 7–8–97 (Register 97, No. 28).
13. Amendment of subsection (a)(1) filed 2–26–98 as an emergency; operative 2–26–98 (Register 98, No. 9). A Certificate of Compliance must be transmitted to OAL by 6–26–98 or emergency language will be repealed by operation of law on the following day.
14. Amendment of subsection (a)(1) refiled 6–24–98 as an emergency; operative 6–25–98 (Register 98, No. 26). A Certificate of Compliance must be transmitted to OAL by 10–23–98 or emergency language will be repealed by operation of law on the following day.
15. Certificate of Compliance as to 6–24–98 order, including amendment of section heading, section and NOTE, transmitted to OAL 10–16–98 and filed 12–2–98 (Register 98, No. 49).

§ 16–3340.36. Clearing Enforcement Forms.

When a customer requests certification of a motor vehicle for correction of a violation noted on an enforcement form, the smog check station shall certify that the correction has been made. In conjunction with such

certification, the licensed technician shall also issue a certificate of compliance or noncompliance, provided the vehicle passes the inspection/test procedure and all emission control systems are in compliance or meet bureau requirements.

NOTE: Authority cited: Sections 44002, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Section 44045.5, Health and Safety Code; and Sections 27157, 27157.5, 27158 and 40616, Vehicle Code.

HISTORY

1. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
2. Amendment filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 6–23–95 order transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).
4. Amendment of section filed 7–26–96 as an emergency; operative 7–26–96 (Register 96, No. 30). A Certificate of Compliance must be transmitted to OAL by 11–25–96 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 7–26–96 order transmitted to OAL 11–19–96 and filed 1–6–97 (Register 97, No. 2).

§ 16–3340.37. Installation of Oxides of Nitrogen (NOx) Devices.

A licensed smog check station, except for a test–only station, may install a retrofit oxides of nitrogen (NOx) exhaust control device on a 1966 through 1970 model year vehicle.

NOTE: Authority cited: Section 44002, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Sections 2814, 27158, 27158.5 and 40616, Vehicle Code; and Sections 43654, 43655, 43657 and 44045.5, Health and Safety Code.

HISTORY

1. Amendment of subsection (b) filed 7–12–85; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 85, No. 28).
2. Amendment of subsection (b) filed 3–28–86; effective thirtieth day thereafter (Register 86, No. 13).
3. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
4. Amendment of subsections (d)–(e) and NOTE filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 6–23–95 order transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).
6. Amendment of section heading and repealer of subsection (a) designator and subsections (b)–(e) filed 4–15–96; operative 5–15–96 (Register 96, No. 16).
7. Amendment of section filed 7–26–96 as an emergency; operative 7–26–96 (Register 96, No. 30). A Certificate of Compliance must be transmitted to OAL by 11–25–96 or emergency language will be repealed by operation of law on the following day.
8. Certificate of Compliance as to 7–26–96 order transmitted to OAL 11–19–96 and filed 1–6–97 (Register 97, No. 2).

§ 16–3340.41. Inspection, Test, and Repair Requirements.

(a) A licensed station shall give a copy of the test report printed from the emissions inspection system to the customer. The report shall be attached to the customer's invoice.

(b) No person shall enter into the emissions inspection system any access or qualification number other than as authorized by the bureau, nor in any way tamper with the emissions inspection system.

(c) No person shall enter into the emissions inspection system any vehicle identification information or emission control system identification data for any vehicle other than the one being tested. Nor shall any person knowingly enter into the emissions inspection system any false information about the vehicle being tested.

(d) The specifications and procedures required by Section 44016 of the Health and Safety Code shall be the vehicle manufacturer's recommended procedures for emission problem diagnosis and repair or the emission diagnosis and repair procedures found in industry–standard reference manuals and periodicals published by nationally recognized repair information providers. Smog check stations and smog check technicians shall, at a minimum, follow the applicable specifications and procedures when diagnosing defects or performing repairs for vehicles that fail a smog check test.

(e) A smog check station shall not perform an initial test, except for an official pre–test, on or issue a certificate of compliance to any vehicle that has been directed to a test–only station for its biennial smog check pursuant to Sections 44010.5 or 44014.7 of the Health and Safety Code, unless the station is licensed as a test–only station pursuant to subdivision (b) of Section 44014 of the Health and Safety Code. The reinspection and certification of a test–only directed vehicle that has failed an initial test at a test–only station and has undergone subsequent repairs to correct the cause of the failure, may be performed by a test–only station, or by a test–and–repair station that performs those repairs and that is also certified as a Gold Shield station pursuant to Section 44014.2 of the Health and Safety Code and Article 10 (commencing with section 3392.1) of this chapter.

NOTE: Authority cited: Sections 44002, 44016 and 44030, Health and Safety Code; and Section 9882, Business and Profession Code. Reference: Sections 44010.5, 44012, 44014, 44014.2, 44014.7, 44016, 44030, 44036(a) and (b), 44050 and 44051.5, Health and Safety Code.

HISTORY

1. Amendment of section heading filed 8–24–88; operative 9–23–88 (Register 88, No. 37).
2. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
3. Editorial correction of printing error correcting section heading (Register 91, No. 6).
4. Amendment of subsection (c) filed 8–18–92; operative 9–17–92 (Register 92, No. 37).
5. New section heading, new subsection (d) and amendment of NOTE filed 7–26–96 as an emergency; operative 7–26–96 (Register 96, No. 30). A Certificate of Compliance must be transmitted to OAL by 11–25–96 or emergency language will be repealed by operation of law on the following day.
6. Editorial correction of subsection (d) (Register 97, No. 2).
7. Certificate of Compliance as to 7–26–96 order transmitted to OAL 11–19–96 and filed 1–6–97 (Register 97, No. 2).
8. New subsection (e) and new Forms T1–T6 filed 2–1–2001; operative 2–1–2001 pursuant to Government Code section 11343.4(c) (Register 2001, No. 5).
9. Amendment of subsections (a)–(c) filed 6–9–2003; operative 7–9–2003 (Register 2003, No. 24).
10. Amendment of section heading, section and NOTE filed 5–30–2006; operative 6–29–2006 (Register 2006, No. 22).

STATE OF CALIFORNIA - STATE AND CONSUMER SERVICES AGENCY Gray Davis, Governor

State of California Department of Consumer Affairs

BUREAU OF AUTOMOTIVE REPAIR
10240 SYSTEMS PARKWAY, SACRAMENTO, CA 95827
PHONE: (916) 255-3465

APPLICATION TO BECOME A BUREAU CERTIFIED TRAINING INSTITUTION

Check One:

☐ **New Institution Certification** ☐ **Upgrading from a Basic to Advanced Institution**

☐ **Renewal of Institution Certification** (If renewing, fill in front page only) ☐ **Institute Relocation**

Please Print

Name of Institution:_____

Address of Instructional Facility (no P.O. Boxes):_____

City:_____ County:_____ Zip:_____

Phone Number: (_____)_____ Ext. #:_____

E-Mail Address:_____ School Number: 99_____

Student Information Phone # (class schedule and enrollment information):

(_____)_____ Ext. #:_____

Is this institution a California public educational institution?

☐ Yes (If yes, move to the Administrative Contact box below) ☐ No (If no, answer the following question)

Is your institution "approved" by the Department of Consumer Affairs, Bureau for Private Post Secondary Education (BPPVE)?

☐ Yes (If yes, provide proof of BPPVE "approval" with application)

☐ No (Contact BPPVE at (916) 445-3427 for approval, or to obtain a waiver) **BAR cannot accept this application** without approval or a waiver from BPPVE..

Provide the name of the automotive department head or administrative person who will be responsible for coordinating bureau-approved training courses, maintaining records, **and be responsible for receiving, distributing, and responding to all bureau correspondence.**

Administrative Contact Person:_____

Mailing Address (if different from address listed above):_____

City:_____ County:_____ Zip:_____

Phone Number: (_____) _____ Ext. #:_____

Bureau Certified Instructor's Name:	Instructor's Certification #:	Cert. Exp. Date:	Instructor is Advanced Certified?
#1	CI		Yes No
#2	CI		Yes No
#3	CI		Yes No

Form TS-1 (Revised 10/99)

BASIC AREA TECHNICIAN TRAINING INSTITUTION

To be certified to teach Basic area technician training courses, your institution must employ either a "Basic" or "Advanced" bureau certified instructor, and have the following tools, equipment, educational materials, and lecture and laboratory facilities:

What is the maximum **legal** student seating capacity of your lecture facility?_____

Note: Do not write in shaded area

- Bureau Use Only -
Inspector Field Audit Area

	YES	NO
Adequate lecture and laboratory facilities to accommodate the number of students to be instructed.	____	____
Emission Test Analyzer System (TAS - BAR 90ET or BAR 97 EIS) approved by the bureau for use in a Basic Program Area	____	____
Instructional Materials for Basic Area Technician Courses) *(only for courses being taught; see page 4*	____	____
Demonstration Vehicles (5 computer controlled vehicles required):	____	____

Note: At least one vehicle must be owned, leased, rented or donated to your institution. Provide documentation of this vehicle with application.

License or Vehicle Identification #	Year	Make	Model	Computer Format OBD I or OBD II

	YES	NO
Engine performance analyzer (with printer)	____	____
Tachometer/dwell meter	____	____
Ammeter	____	____
Video equipment: (Minimum) 1- VCR, 1- 25" TV (or 2 - 19")	____	____
Digital Volt/Ohm Meters (DVOM) (4 minimum)	____	____
Fillpipe restrictor dowel gauges (2 minimum)	____	____
Timing lights with advance testing capabilities (2 minimum)	____	____
Propane Enrichment Tool	____	____

Form TS-1 (Revised 10/99)
Page 2

	YES	NO
Hand vacuum pumps (2 minimum)		
Vacuum gauge (1 minimum)		
Fuel Cap Tester		
Fuel pressure gauge		
Computer diagnostic equipment (scan tool - 1 minimum)		
Compression tester (1 minimum)		
Hand tools necessary to inspect, adjust, maintain, and repair vehicular ignition systems, fuel delivery systems, and emission control systems		
Current emission control manuals and systems application guides (paper or electronic format)		
Automotive computer diagnostic and repair manuals (paper or electronic format)		
Electronic component location manuals (paper or electronic format)		
Current bureau manuals and bulletins		

ADVANCED EMISSION SPECIALIST TECHNICIAN TRAINING INSTITUTION

To be additionally certified to teach Advanced Emission Specialist technician training courses, an institution must employ an "Advanced" bureau certified instructor, and have all the equipment, tools, educational materials, and lecture and laboratory facilities required for institutions teaching Basic area technician training courses (except BAR 90ET), and the following additional equipment/materials:

	YES	NO
Digital storage oscilloscope/graphing multimeter (1 minimum)		
Emission Inspection System (BAR 97 EIS) approved by the bureau for use in an Enhanced Program Area		
Does your institution own this equipment (BAR 97 EIS), or lease the equipment from the manufacturer? (If no, provide a copy of evidence of access to this equipment at another facility)		
Fuel cap tester (may be incorporated in BAR 97 EIS)		
Instructional Materials for Advanced Emission Specialist Courses *(only for courses being taught; see page 4)*		

Form TS-1 (Revised 10/99)
Page 3

[The next page is 114.3.]

Basic Area Technician Training Courses (check the courses your institution wishes to be certified to provide):

- ☐ Basic Clean Air Car Course
- ☐ Citation Retraining for Basic Area Technicians
- ☐ Bureau Training Program (ASE Alternative Courses A6, A8, & L1)
- ☐ Update Training for Basic Area Technicians

Advanced Emission Specialist Technician Training Courses (check the courses your institution wishes to be certified to provide):

- ☐ Advanced Clean Air Car Course
- ☐ Citation retraining for Advanced Emission Specialist technicians
- ☐ BAR 97 Transition Class
- ☐ Update Training for Advanced Emission Specialist technicians

---

I certify under penalty of perjury under the laws of the State of California that the statements in this application and supporting documents pertaining to this application are true and correct.

Signature of Administrative Contact Person:_____ Date:_____

Print Name:_____ Title:_____ County Where signed:_____

Upon the receipt of a completed and qualifying initial application, a bureau field representative will contact your school to schedule a site inspection. Once certified, your institution will be contacted by a bureau representative to make periodic site inspections.

Note: Passing the site inspection **does not constitute certification** of your institution. Your institution **cannot** commence bureau certified training courses, until you receive written approval from this office.

Form TS-1 *(Revised 10/99)*
Page 4

PROCEDURES TO BECOME A BUREAU CERTIFIED INSTRUCTOR

Instructor Certification Categories

The bureau has two instructor categories:

Basic Instructor. A Basic instructor can teach the following bureau certified courses:

- Basic Clean Air Car Course
- BAR ASE alternative courses
- Basic Area (EB) Smog Technician update training course
- Basic Area Smog Technician citation training courses

Advanced Instructor. An Advanced instructor can teach **all** Basic instructor courses, and the following additional courses:

- Advanced Clean Air Car Course
- BAR 97 Transition Course
- Advanced Emission Specialist (EA) update training course
- Advanced Emission Specialist citation training course

Note: To be an Advanced instructor, an individual must hold a current **Basic** instructor certificate, and must have completed an instructor training course (Train-the-Trainer) given by a Master instructor.

Basic Instructor Credentialing Requirements

An applicant who wishes to become a bureau certified **Basic** instructor must fill out page 5 of this application, and must meet **one** of the following instructor certification criteria:

1. **Credentialed Applicants.** The applicant must possess:
   A. A teaching credential in automotive technology that is recognized by the Department of Education; **or**
   B. Meet the California Community College eligibility requirements for teaching an engine performance course.
   Note: An **original** letter from a California community college (on college letterhead stationary) stating the applicant has been **hired** to teach an engine performance course(s) will be accepted as meeting the eligibility requirements.

OR

2. **Non-Credentialed Applicants.** The applicant must meet one of the following qualifications:
   A. A minimum of **two** years experience in the engine performance area, and a Baccalaureate degree in vocational education (emphasis in automotive technology); **or**
   B. A minimum **four** years experience in the engine performance area, and an Associate of Arts degree or Certificate in automotive technology;
   or
   C. A minimum of **six** years experience in the engine performance area.

Form TS - 2 (Rev. 10/99)
Page 1

PROCEDURES TO BECOME A BUREAU CERTIFIED INSTRUCTOR

Basic Instructor Credentialing Requirements (con't)

Non-credentialed applicants must submit a (typed) resume detailing job experience. The resume should include: the employer's name, address, phone number, dates of employment, length of time employed, a short description of job duties, supervisor's name, and a copy of school transcripts or diplomas to verify minimum education requirements (if applicable).

In addition to the experience/education requirements noted above, the non-credentialed applicant must give a short instructional presentation in front of an evaluation committee. The committee will determine if the applicant meets a minimum teaching skills requirement. (see "Instructor Presentation and Evaluation Procedure" on pages 3 and 4 for further details regarding the presentation).

Licensing and Certification Requirements

All applicants must have a current Advanced Engine Performance Specialist (EA) smog technician license, and be **currently** certified by the National Institute of Automotive Service Excellence (ASE) in the following areas:

- Electrical/Electronic Systems (A6)
- Engine Performance (A8)
- Advanced Engine Performance (L1)

Instructor Update Training

Applicants may be required to attend an *instructor* update training course [pursuant to section 3340.33(g)], as a requirement to become a certified instructor. Contact Wayne Brumett at (916) 255-1391 for further information on this training.

Basic Instructor Application

To be considered for **Basic** instructor certification, an applicant must submit to the bureau the following documents for review:

1. A completed page 5 of this application.
2. A copy of the applicant's Advanced Emission Specialist (EA) smog technician license
3. A copy of ASE certificates in the following categories: A6, A8, and L1. **Note: BAR ASE alternative courses are not acceptable.**
4. A copy of a vocational instructor credential (credentialed applicants only)
5. A copy of a degree(s) and/or job experience resume (non-credentialed applicants only)

Applicant shall mail the application package to:

Attention: Wayne Brumett
Bureau of Automotive Repair
10240 Systems Parkway
Sacramento, CA 95827

Note: After review of application, non-credentialed applicants will be contacted by phone to set up a presentation date.

INSTRUCTOR PRESENTATION AND EVALUATION PROCEDURES

Instructional Presentation Evaluation Format

The applicant will provide a lecture and laboratory demonstration to an evaluation team of BAR and Educational Advisory Committee members (up to 4 evaluators). The applicant's presentation will consist of:

- A lecture on the theory/operation and diagnosis of a computer controlled system or component selected from the "Clean Air Car Course Training Manual" (1993). The applicant may choose the lecture subject material.
- A laboratory demonstration relevant to the lecture subject matter.

The applicant's lecture and demonstration presentation will not be less than 15 minutes, or more than a maximum of 45 minutes in length.

Evaluation Sites

Applicants can choose to be evaluated at any of several public automotive events that occur at various locations and times throughout the year.

Applicants may opt to be evaluated at the Bureau of Automotive Repair in Sacramento at any time of the year.

After review of the application, applicants will be contacted by this office to discuss scheduling a presentation.

Materials and Equipment Criteria

The applicant must provide the evaluation group (up to four members) with any written materials relevant to the lecture/demonstration (i.e. handouts, diagrams, etc.). The applicant will supply any diagnostic testing equipment, training aids, support equipment, demonstration vehicles, etc. needed to carry out the presentation.

Applicants traveling to Sacramento to give a presentation, may make arrangements with this office to provide support equipment (slide projector, overhead projector, VCR, etc.). The applicant must inform this office at least **two** weeks prior to the presentation of their material needs.

The bureau will provide a training room, and a marker board at any of the above noted evaluation sites. Vehicle demonstrations will be performed in the parking lot of the host setting.

Evaluation Criteria

Applicants will be evaluated on several criteria, some of which are:

- Organization of materials
- Knowledge of subject matter
- Clear explanation of subject matter
- Proper use of training aid(s)
- Material taught at student level
- Presentation skills
- Demonstrated safe practice
- Observed proper diagnostic procedures

INSTRUCTOR PRESENTATION AND EVALUATION PROCEDURES

Evaluation Criteria (con't)

The evaluation committee will assess the applicant's knowledge of the subject matter, delivery skills, and adherence to time constraints.

The bureau highly recommends that the applicant practice their presentation in front of other automotive instructor for critiquing, prior to being evaluated by the committee.

Evaluation Process

Committee members will use a form to evaluate the presentation. At the end of the evaluation process, the bureau will discuss with the applicant the outcome of the evaluation (positive and negative aspects). The bureau will make the final determination in granting instructor certification to the applicant; based, in part, on the input of the evaluation committee members.

Applicant Re-Evaluations

Applicants that fail the presentation evaluation, may choose one of the following
re-evaluation processes:

1. Give a follow up (same day) presentation (same subject matter) within a time frame agreed upon by the evaluation committee. The committee may limit the presentation to cover only the areas not adequately addressed in the original presentation/laboratory demonstration. For those applicants that the committee feels may require additional training/practice, the applicant will be required to follow evaluation process number two (below).

2. Set up another full presentation evaluation with this office for a different time and date (location).

Applicants that fail **two** presentations in a row, must wait **three** months from the date of the last failed presentation, to request another evaluation.

STATE OF CALIFORNIA - STATE AND CONSUMER SERVICES AGENCY GRAY DAVIS, Governor

State of California Department of Consumer Affairs

BUREAU OF AUTOMOTIVE REPAIR
10240 SYSTEMS PARKWAY, SACRAMENTO, CA 95827
PHONE: (916) 255-3465

APPLICATION TO BECOME A BUREAU CERTIFIED BASIC INSTRUCTOR

Name:_____
First Middle Last

Street Address:_____
(no P.O. Box)

City, State, Zip:_____

Home Phone #: (____)_____ Daytime Phone#:(____)_____Ext:____

Fax Number: (____)_____ E-Mail Address:_____

Name of bureau certified training institution(s) where you are currently employed:

School Name:_____ School Number: 99_____

Advanced Emission Specialist (EA) License Number:_____ Expiration Date:_____

Automotive Service Excellence (ASE) certification in the following categories:

Electrical/Electronic Systems (A6)	Expiration Date:_____
Engine Performance (A8)	Expiration Date:_____
Advanced Engine Performance Specialist (L1)	Expiration Date:_____

Note: BAR ASE Alternative courses are not acceptable.

Meet at least one of the following (check one):

❒ Possession of a current credential recognized by the State Department of Education in the field of automotive technology; **or**

❒ Meet current California Community College eligibility requirements for a credential in the field of automotive technology; **or**

❒ Possess an automotive-related degree or credential, or other qualifying experience, which the bureau determines, upon petition of the applicant, to be substantially equivalent to a California Community College instructor's credential or a credential recognized by the State Department of Education in the field of automotive technology.

I certify under penalty of perjury under the laws of the state of California that the statements in this application are true and correct.

_____ _____
Applicant Signature Date

Form TS - 2 (Rev. 10/99)
Page 5

STATE OF CALIFORNIA - STATE AND CONSUMER SERVICES AGENCY GRAY DAVIS, Governor

State of California Department of Consumer Affairs

BUREAU OF AUTOMOTIVE REPAIR
10240 SYSTEMS PARKWAY, SACRAMENTO, CA 95827
PHONE: (916) 255-3465

APPLICATION TO BECOME A BUREAU CERTIFIED ADVANCED INSTRUCTOR

Name:_____
First Middle Last

Street Address:_____
(no P.O. Box)

City, State, ZIP:_____

Daytime Phone #: (____)_____Ext:_____ Home Phone #: (____)_____

Certification Requirements

To become a bureau certified Advanced instructor, you must meet the requirements in categories 1, 2, and 3, and successfully complete the California Train-the Trainer course:

1. **Possession of a current smog technician license:**

   Advanced Emission Specialist (EA) Technician License Number: EA_____
   License Expiration Date:_____

2. **Current Automotive Service Excellence (ASE) certification in the following categories:**

   Electrical/Electronic Systems (A6) Expiration Date:_____
   Engine Performance (A8) Expiration Date:_____
   Advanced Engine Performance Specialist (L1) Expiration Date:_____

3. **Possession of a current bureau issued Basic instructor certificate:**

   Instructor Certification Number:_____ Expiration Date:_____

I certify under penalty of perjury under the laws of the state of California that the statements in this application are true and correct.

_____ _____
Applicant Signature Date

- Proof of Course Completion -

This section to be filled out by the Master Instructor providing the applicant's training.

I declare that the above noted applicant has successfully completed the California Train-the-Trainer course.

Master Instructor's Name (print):_____

_____ **Date of Course Completion:**_____
(Master Instructor's Signature)

Form TS-3 (10/99)

STATE OF CALIFORNIA - STATE AND CONSUMER SERVICES AGENCY GRAY DAVIS, Governor

BUREAU OF AUTOMOTIVE REPAIR
Standards and Training Branch
10240 Systems Parkway
Sacramento, CA 95827
(916) 255-3465, (916) 255-4352 (fax)

BUREAU CERTIFIED INSTRUCTOR RENEWAL APPLICATION

Check One: ❒ Basic Instructor ❒ Advanced Instructor

Name:_____

Mailing Address:_____

Street Address:_____
(no P.O. Box)

City, State, ZIP:_____

Home Phone #: (____)_____ Daytime Phone #: (____)_____Ext:_____

Fax Number: (____)_____ E-Mail Address (required) :_____

Name of bureau certified training institution(s) where you are currently employed:

School Name:_____ School Number: 99_____

Advanced Emission Specialist (EA) Smog Technician License Number:_____

License Expiration Date:_____

Automotive Service Excellence (ASE) certification in the following categories:

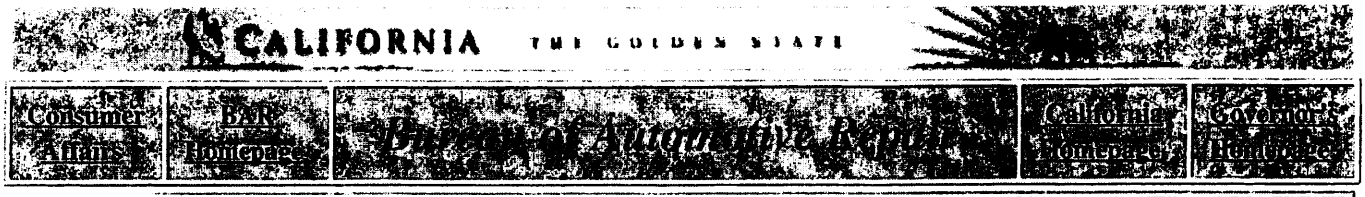
Electrical/Electronic Systems (A6) Expiration Date:_____

Engine Performance (A8) Expiration Date:_____

Advanced Engine Performance Specialist (L1) Expiration Date:_____

Note: BAR ASE Alternative courses are not acceptable.

Form TS-4 (10/99)



STATE OF CALIFORNIA - STATE CONSUMER SERVICES AGENCY GRAY DAVIS, Governor

State of California Department of Consumer Affairs

BUREAU OF AUTOMOTIVE REPAIR
Standards & Training Branch
10240 System Parkway,
Sacramento, CA 95827
Phone: (916) 255-4214 *
(fax) (916) 255-4352

CERTIFIED INSTITUTION'S TRAINING RECORD

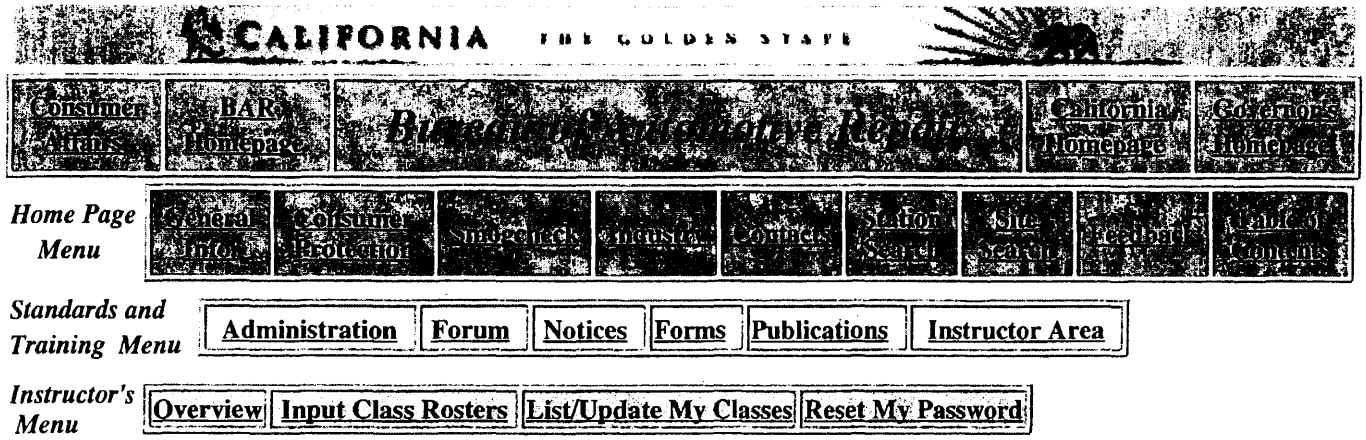
****Select the School Where the Course is/was conducted:** (If your school is not listed, please contact Standards & Training at the above listed telephone number.)	991934 / ABRAM FRIEDMAN OCCUPATIONAL CTR., Los Angeles

Select Instructor [0] CI113559 / Brumett, Wayne

Select Course Description: (If the course is not listed, please contact Standards & Training at the above listed telephone number.)	OBDII (Update Training)

Submit

SchoolID=0, CourseID=0, Status=, Session=0, Assignment=0



STATE OF CALIFORNIA - STATE CONSUMER SERVICES AGENCY GRAY DAVIS, Governor

State of California Department of Consumer Affairs

BUREAU OF AUTOMOTIVE REPAIR
Standards & Training Branch
10240 System Parkway, Sacramento, CA 95827
Phone: (916) 255-4214 * (fax) (916) 255-4352

CERTIFIED INSTITUTION'S TRAINING RECORD

School Name: ABRAM FRIEDMAN OCCUPATIONAL CTR., Los Angeles

School Number: 991934

Instructor's Name: Brumett, Wayne

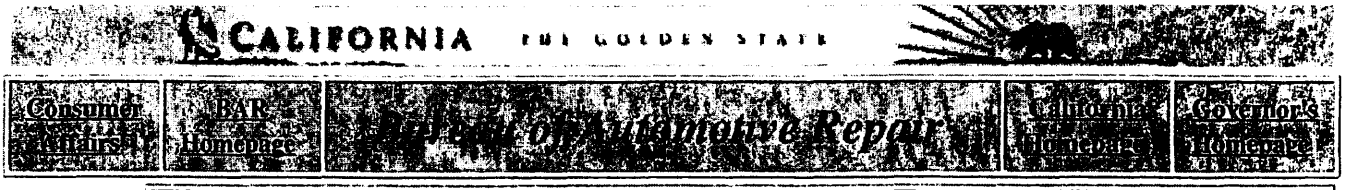
Instructor's ID Number: 182

Course: OBDII (Update Training)

Session Start Date:	Session Complete Date:	Session Status
01/03/01	01/05/01	Completed
mm/dd/yyyy	mm/dd/yyyy	

Submit

SchoolID=30, CourseID=9, Status=, Session=0, Assignment=0



Home Page Menu

General Info | Consumer Protection | Shopper's | Industry | Contacts | Station Search | Site Search | Feedback | Table of Contents

Standards and Training Menu

Administration | Forum | Notices | Forms | Publications | Instructor Area

Instructor's Menu

Overview | Input Class Rosters | List/Update My Classes | Reset My Password

STATE OF CALIFORNIA - STATE CONSUMER SERVICES AGENCY

State of California Department of Consumer Affairs

BUREAU OF AUTOMOTIVE REPAIR
Standards & Training Branch
10240 System Parkway,
Sacramento, CA 95827
Phone: (916) 255-4214 * (fax)
(916) 255-4352

CERTIFIED INSTITUTION'S TRAINING RECORD

School Name: ABRAM FRIEDMAN OCCUPATIONAL CTR., **School Number:** 991934
Los Angeles

Instructor's Name: Brumett, Wayne

Instructor's ID Number: 182

Course: OBDII (Update Training)

Start: 01/03/01
Complete: 01/05/01
Status: Completed

Enroll No.	Student's First Name and MI	Last Name	Smog License # (Specify EB or EA)	Other ID (skip if Smog Lic. Entered)	Final Res
3593	John E.	Doe	EA111111		

Add Student to Roster

(click on Enroll Number to modify or delete a student from this list)

Display for Printing

STATE OF CALIFORNIA - STATE AND CONSUMER SERVICES AGENCY GRAY DAVIS, *Governor*

State of California Department of Consumer Affairs

APPLICATION FOR SMOG CHECK TECHNICIAN LICENSE

LICENSING DIVISION (BAR)
P.O. BOX 989001
WEST SACRAMENTO, CA 95798-9001
(916) 255-3145

Bureau of Automotive Repair

Overview of License Requirements:

- Licensure is required for all persons inspecting, testing, diagnosing, and/or repairing vehicles with the purpose of certification in the Smog Check program. *(Per 44031.5.(a) and 44032 of the Health and Safety Code)*
- No person shall sell, issue, cause or permit to be issued any certificate purported to be a valid certificate of compliance or noncompliance unless licensed to do so. *(Per section 3340.35(e) of Title 16 of the California Code of Regulations)*
- All applicants are required to meet the training and/or certification requirements as listed in this application, and pass an examination to obtain a license. An examination fee will be charged. *(Per 44045.5 & .6 and 44034.1 of the Health and Safety Code)*
- A licensed technician whose license has expired shall immediately cease to inspect, test, diagnose, and/or repair failed vehicles. *(Per section 3340.30(d) of Title 16 of the California Code of Regulations)*
- Licenses must be posted prominently under a transparent material in an area frequented by consumers. *(Per section 3340.15(d) of Title 16 of the California Code of Regulations)*
- All licensees must inform the Bureau of an address change within 14 days. *Send address change to the above address. (Per section 3303.3 of Title 16 of the California Code of Regulations)*

ALL APPLICATIONS WILL BE REJECTED AND FEE NOT REFUNDED FOR FAILURE TO :

- Include required documentation (i.e. ASE certification and/or original completed page 4); or
- Complete questions regarding applicant's background; or
- Submit a completed original application with all pages.

IF YOUR APPLICATION IS ACCEPTED, you will be contacted by the examination service contractor to schedule your examination. A $65.00 examination fee is required per attempt and is payable directly to the examination service. You must bring two forms of ID to the examination. Read the Candidate Handbook for complete instructions.

You must pass the examination within 90 days of receipt of notification that you are qualified to take the exam, or you must submit a new application and application fee.

Disclosure of your social security number (SSN) is mandatory. Section 30 of the Business and Professions Code and Public Law 94-455(42 USCA 405(c)(2)(C) authorizes collection of your SSN. Your SSN will be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or order for family support in accordance with Family Code section 17520, or for verification of licensure or examination status by a licensing or examination entity which utilizes a national examination and where licensure is reciprocal with the requesting state. **If you fail to disclose your SSN, your application will not be processed and you will be reported to the Franchise Tax Board, which may assess a $100.00 penalty against you.**

Per California Civil Code, Section 1798.17 (Information Practice Act), the Director of the Department is responsible for maintaining the information in this application. This information may be transferred to other governmental and enforcement agencies. Individuals have the right to review the records maintained on them by the agencies, unless the records are exempt by Section 1798.40 of the Civil Code.

Examination cheating is in violation of Section 123 of the Business and Professions Code. Examination cheating can result in denial of application, suspension, revocation and restriction of a license. Once the examination begins, no talking or other communication which compromises the exam is permitted between applicants. Details are contained in Section 123 of the Business and Professions Code. A copy is contained in the Candidate Handbook to the California Bureau of Automotive Repair Smog Check Technician Licensing Examination as well as in the laws and regulations booklet published by BAR.

INSTRUCTIONS:

1. Read all instructions and information contained in this application.
2. Pay fees by check or money order made payable to "Licensing Division - BAR."
3. Submit a completed application with all the appropriate documents and fees to the Licensing Division at the above address.

IF ANY INFORMATION IS OMITTED, THE APPLICATION WILL BE RETURNED TO YOU FOR COMPLETION AND WILL DELAY PROCESSING.

APPLICATION FOR SMOG CHECK TECHNICIAN LICENSE

Application Fee $20.00

For Department Use Only	
Qualification Number	
Receipt Number	
Reviewed & Approved By	
Signature	
Date Processed	

Type of License: *Check one only*

❑ Advanced Emission Specialist ❑ Intern Technician
❑ Basic Area Technician

Application Type: *Check one only*

❑ Initial ❑ Renewal

Please type or print legibly in ink **Note:** Name on application must match name on California Driver License or California ID Card or Active Military ID **You must present the same photo identification at examination.**

Applicant's Full Name: LAST	FIRST	MIDDLE	
Date of Birth: Month Day Year	Social Security Number:		
California Driver License/ID Card/or Military I.D. Number:	Smog Check Technician License Number: E	Expiration Date: / /	
Applicant's Home Address: Number and Street (No Post Office Boxes)	City	State	Zip Code
Applicant's Mailing Address: (if different than above) Number and Street or Post Office Box	City	State	Zip Code
Applicant's Home Area Code and Telephone Number: ( )	Applicant's Work Area Code and Telephone Number: ( )		
Employer's Full Business Name:	Automotive Repair Dealer Registration or Fleet Station License Number:		
Business Address: Number and Street	City	State	Zip Code

Applicant's Background: ***Attach additional sheets if necessary.***

1. Have you ever been issued a license, certificate, or registration by this Department? ❑ YES ❑ NO
   If yes, please explain:
2. Have you ever had any license, certificate, or registration denied, suspended, revoked, or placed on probation by this Department? ❑ YES ❑ NO
   If yes, please explain:
3. Have you ever been issued a citation by this Department? ❑ YES ❑ NO
   If yes, please explain:
4. Have you ever been convicted of, or pled nolo contendere to, any misdemeanor or felony offense of any state, or of the United States? ❑ YES ❑ NO
   If Yes, please explain:

NOTE: If you have a disability or impairment for which you may need assistance during an examination, please call the BAR Licensing Unit at (916) 255-3145 to request an official "Special Accommodation Form." This form must be completed by a health care professional and be submitted to the Licensing Division with your application.

ADVANCED EMISSION SPECIALIST SMOG TECHNICIAN APPLICANTS MUST COMPLETE THIS SECTION

ADVANCED EMISSION SPECIALIST TECHNICIAN: *May inspect, diagnose, adjust, repair and certify the emissions control systems on vehicles subject to the Smog Check Program at Smog Check stations in all areas of the state.*

Note: To perform an official Smog Check inspection in an enhanced program area, you must also complete the Bureau's "Bar 97 Transition Class."

REQUIREMENTS FOR LICENSURE: An examination is required. You must meet **requirements 1, 2, & 3** to qualify to take the examination.

REQUIREMENT 1. EDUCATION/EXPERIENCE: *You must meet* **one** *of the following requirements. Check the box next to the requirement you meet.*

❑ I have a valid unexpired Advanced Emission Specialist Smog Check Technician License;

OR

❑ I possess a valid unexpired Basic Area Smog Check Technician license, **and** have completed the Bureau's "Advanced Clean Air Car Course" within the last twelve months (course completion should be noted on page 4 of this application);

OR

❑ I possess a valid unexpired Intern Technician License, have one year experience as an Intern Technician, **and** have completed the Bureau's "Advanced Clean Air Car Course" within the last twelve months (course completion should be noted on page 4 of this application);

OR

❑ I have one year automotive experience and/or education in the engine performance area, and have completed the Bureau's "Basic **and** Advanced Clean Air Car Courses" within the last twelve months (course completion should be noted on page 4 of this application).

OR

❑ I possess an Associate of Arts, Associate of Science, or higher degree in Automotive Technology from a state accredited or recognized college, or public school, or trade school AND I have successfully completed the Bureau of Automotive Repair's Basic and Advanced Clean Air Car Course within the last twelve months. PAGE FOUR OF THIS APPLICATION HAS BEEN COMPLETED;

OR

❑ I possess a certificate in Automotive Technology from a state accredited or recognized college, public school, or trade school with a minimum of 360 hours course-work in the engine performance area AND I have successfully completed the Bureau of Automotive Repair's Basic and Advanced Clean Air Car Course within the last twelve months. PAGE FOUR OF THIS APPLICATION HAS BEEN COMPLETED;

CONTINUED ON NEXT PAGE

REQUIREMENT 2. **CERTIFICATION:** *You must meet **ALL** of the following **three** certification requirements. You may meet these requirements through certification from the National Institute for Automotive Service Excellence (ASE) **and/or** by completion of a training program approved by the Bureau of Automotive Repair in a similar subject area (courses should be noted on page 4 of application).*

I have the following ASE certification(s):
(check the appropriate box)

1. ☐ Electrical/Electronic Systems (A 6)
2. ☐ Engine Performance (A 8)
3. ☐ Advanced Engine Performance Specialist (L1)

AND/OR

I have completed the following Bureau alternative course(s):
(check the appropriate box)

☐ Electrical and Electronic Systems
☐ Engine Performance Diagnosis and Repair
☐ Advanced Emission Systems Diagnosis and Repair

☞ **YOU MUST ATTACH copies** of valid and **unexpired** ASE certifications **and/or** a completed page four(s) of this application noting completion of Bureau alternative courses. The page four must have a course certification stamp, and an **original** signature from the course instructor. The Bureau **will not** accept copies of completed page fours

Note: This documentation **is not needed** if the Bureau has a record of unexpired certifications or courses from a previous application.

REQUIREMENT 3. **UPDATE TRAINING:** (As required by the Bureau)
Check the box if you meet this requirement

☐ I have completed the required Bureau of Automotive Repair certified update training course. PAGE FOUR OF THIS APPLICATION HAS BEEN COMPLETED.

BASIC AREA SMOG TECHNICIAN APPLICANTS MUST COMPLETE THIS SECTION

BASIC AREA TECHNICIAN: *May inspect, diagnose, adjust, repair and certify the emissions control systems on vehicles subject to the Smog Check Program at Smog Check stations in areas of the state designated as Basic Smog Check Program areas.*

REQUIREMENTS FOR LICENSURE: Examination Required. You must meet **requirements 1, 2, & 3** to qualify to take the examination.

REQUIREMENT 1. **EDUCATION/EXPERIENCE:** *You must meet **one** of the following requirements. Check the box next to the requirement you meet*

☐ I possess a valid unexpired Basic Area, or Advanced Emission Specialist Smog Check Technician License;

OR

☐ I possess a valid unexpired Intern Technician License, and have one year experience as an Intern Technician;

OR

☐ I have one year of automotive experience and/or education in the engine performance area, and have completed the Bureau's Basic Clean Air Car Course within the last twelve months (course completion should be noted on page 4 of this application).

OR

☐ I possess an Associate of Arts, Associate of Science, or higher degree in Automotive Technology from a state accredited or recognized college, or public school, or trade school **AND** I have successfully completed the Bureau of Automotive Repair's Basic Clean Air Car Course within the last twelve months. PAGE FOUR OF THIS APPLICATION HAS BEEN COMPLETED;

OR

☐ I possess a certificate in Automotive Technology from a state accredited or recognized college, public school, or trade school with a minimum of 360 hours course-work in the engine performance area **AND** I have successfully completed the Bureau of Automotive Repair's Basic Clean Air Car Course within the last twelve months. PAGE FOUR OF THIS APPLICATION HAS BEEN COMPLETED;

REQUIREMENT 2. **CERTIFICATION:** *You must meet **ALL** of the following **three** certification requirements (see note below). Yo u may meet these requirements through certification from the National Institute for Automotive Service Excellence (ASE) **and/or** by completion of a training program approved by the Bureau of Automotive Repair in a similar subject area (courses should be noted on page 4 of application).*

I have the following ASE certification(s):
(check the appropriate box)

1. ☐ Electrical/Electronic Systems (A 6)
2. ☐ Engine Performance (A 8)
3. ☐ Advanced Engine Performance Specialist (L 1)
(see note below)

AND/OR

I have completed the following Bureau alternative course(s):
(check the appropriate box)

☐ Electrical and Electronic Systems
☐ Engine Performance Diagnosis and Repair
☐ Advanced Emission Systems Diagnosis and Repair
(see note below)

NOTE: *The Advanced Engine Performance Specialist (L1) certificate **OR** the Advanced Emission Systems Diagnosis and Repair course is required if a **renewal applicant's** license expires **after December 31, 2001**, or a **new applicant's** application is **postmarked** after **December 31, 2001.***

☞ **YOU MUST ATTACH copies** of valid and **unexpired** ASE certifications **and/or** a completed page four(s) of this application noting completion of Bureau ASE alternative courses. The page four must have a course certification stamp, and an **original** signature from the course instructor. The Bureau **will not** accept copies of completed page fours

Note: This documentation **is not needed** if the Bureau has a record of unexpired certifications or courses from a previous application.

REQUIREMENT 3. **UPDATE TRAINING:** (As required by the Bureau)
Check the box if you meet this requirement

☐ I have completed the required Bureau of Automotive Repair certified update training course. PAGE FOUR OF THIS APPLICATION HAS BEEN COMPLETED.

INTERN APPLICANTS MUST COMPLETE THIS SECTION

INTERN TECHNICIAN: *Under the direction of a licensed supervising technician, the Intern Technician may perform repairs or adjustments to the emissions control systems on failed vehicles subject to the Smog Check program at Smog Check stations in all areas of the state. The Intern Technician license expires in two years and is nonrenewable (can be issued to an individual only once).*

REQUIREMENTS FOR LICENSURE: *You must meet the following requirement. Check the box if you meet this requirement.*

☐ I have one year experience and/or education in the engine performance area, and have completed the Bureau's Basic Clean Air Car Course within the last twelve months (course completion should be noted on page 4 of this application).

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA the statements I have made in this application are true and correct.

Signature of Applicant: _____ Date: _____

EVIDENCE OF COMPLETION OF BUREAU CERTIFIED TRAINING COURSE(S)

THIS PAGE MUST BE COMPLETED BY THE INSTRUCTOR

- Instructor shall check the "Yes" box on courses successfully completed by the student.
- Instructor shall check the "No" box on courses not given by the instructor, or not successfully completed by the student.
- School or trade organization certificates cannot be used in place of this form to qualify for licensure.
- Students must send in this form with instructor's original signature (faxes and copies are not acceptable).
- Schools shall maintain a copy of this page on file for three years.

Note: The instructor may copy this page if other blank copies are needed.

Applicant's Name: Last First Middle	Applicant's California Driver License/ID Card/or Military I.D. Number:

Answer "Yes" or "No". DO NOT leave blank

COURSE TITLE	COURSE COMPLETED		COURSE COMPLETION DATE
Basic Clean Air Car Course	☐ Yes	☐ No	
Advanced Clean Air Car Course	☐ Yes	☐ No	
Update Training *COURSE TITLE:* _____	☐ Yes	☐ No	
BAR 97 Transition Class	☐ Yes	☐ No	
BUREAU ALTERNATIVE COURSES			
Electrical and Electronic Systems	☐ Yes	☐ No	
Engine Performance Diagnosis and Repair	☐ Yes	☐ No	
Advanced Engine/Emission Systems Diagnosis and Repair	☐ Yes	☐ No	

Print the name of the school:	**COURSE CERTIFICATION STAMP AREA**
Print the city and county where the certification was signed:	
Print the name of the instructor:	

NOTE: INSTRUCTOR SHALL SIGN CERTIFICATION STAMP AREA IN A COLOR OTHER THAN BLACK

Form T-6 (Rev. 10/99)

§ 16–3340.41.5. Tampering with Emissions Control Systems.

A tampered emissions control system is an emissions control system which is missing, modified or disconnected. An emissions control system which has a missing, modified, or disconnected emissions related component is also deemed a tampered emissions control system. For purposes of the visual emission control system inspection pursuant to Health and Safety Code Section 44012(a), the terms missing, modified and disconnected are defined as follows:

(a) Missing. A missing emissions control system or component is one which has been removed from the vehicle or engine.

(b) Modified. An emissions control system is deemed to have been modified if:

(1) the system has been disabled, even though it is present and properly connected to the engine and/or vehicle;

(2) an emissions related component of the system has been replaced by a component not marketed by its manufacturer for street use on the vehicle; or

(3) an emissions related component of the system has been changed such that there is no capacity for connection with or operation of other emissions control components or systems;

(c) Disconnected. A disconnected hose, wire, belt or component is one which is required for the operation of an emissions control system and which has been disconnected.

NOTE: Authority cited: Section 44002, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Sections 44012(a), 44013(b) and 44017, Health and Safety Code.

HISTORY

1. New section filed 11–7–84; effective thirtieth day thereafter (Register 84, No. 45).

§ 16–3340.42. Mandatory Smog Check Inspection and Test Procedures, and Emissions Standards.

Smog check stations and smog check technicians shall conduct tests and inspections in accordance with the bureau's BAR–97 Emissions Inspection System Specifications referenced in subsection (b) of Section 3340.17 of this article and the following:

(a) The loaded–mode test method, except as otherwise specified, shall be the test method used in the enhanced program areas of the state. The loaded–mode test method shall measure hydrocarbon, carbon monoxide, carbon dioxide and oxides of nitrogen emissions, as contained in the bureau's specifications referenced in subsection (b) of Section 3340.17 of this article. The loaded–mode test equipment shall be Acceleration Simulation Mode (ASM) test equipment, including a chassis dynamometer, certified by the bureau. The loaded–mode test procedures, including the preconditioning procedure, shall only be conducted according to the bureau approved procedures specified in this section and include the following:

(1) Place the vehicle's driving wheels on a chassis dynamometer and properly restrain the vehicle prior to commencing the test.

(2) With the vehicle operating, sample the exhaust system in the following sequence:

(A) Accelerate the vehicle to the cruise condition as specified by the test procedures.

(B) Operate the vehicle long enough to stabilize emission levels.

(C) Measure and record emissions (hydrocarbon, carbon monoxide, carbon dioxide, and oxides of nitrogen).

(3) Exhaust emissions from a vehicle subject to inspection shall be measured and compared to the emission standards set forth in this section and as shown in TABLE I or TABLE II, as applicable.

(4) All loaded–mode testing shall be conducted in a manner that does not induce excess emissions from the vehicle being tested.

(b) The two–speed idle mode test method shall be used in all program areas of the state, other than the enhanced program areas. The two–speed idle mode test method shall measure hydrocarbon, carbon monoxide and carbon dioxide emissions at high RPM and again at idle RPM, as contained in the bureau's specifications referenced in subsection (b) of Section 3340.17 of this article. Exhaust emissions from a vehicle subject to inspection shall be measured and compared to the emission standards set forth in this section and as shown in TABLE III.

(c) All tests shall be performed with the engine at its normal operating temperature.

(d) There shall be a liquid fuel leak inspection as follows:

(1) As used in this section, "Liquid fuel leak" means any fuel emanating from a vehicle's fuel delivery, metering, or evaporation systems in liquid form that has created a visible drop or more of fuel on a component of a vehicle's fuel delivery, metering, or evaporation system or has created a fuel puddle on, around, or under a component of a vehicle's fuel delivery, metering, or evaporation system.

(2) With the engine running, the smog check technician shall visually inspect the following components of the vehicle, if they are exposed and visually accessible, for liquid fuel leaks:

(A) Gasoline fuel tanks.

(B) Gasoline fill pipes, associated hoses and fuel tank connections.

(C) Gas caps.

(D) External fuel pumps.

(E) Fuel delivery and return lines and hoses.

(F) Fuel filters.

(G) Carburetors.

(H) Fuel injectors.

(I) Fuel pressure regulators.

(J) Charcoal canisters.

(K) Fuel vapor hoses.

(L) Any valves connected to any other fuel evaporative component.

(3) If a smog check technician detects a liquid fuel leak, the technician shall enter "F" (Defective) in the "Fuel Evaporative Controls" category of the visual inspection when prompted by the emissions inspection system and the vehicle shall fail the inspection.

(4) Smog check technicians shall indicate on the vehicle inspection report the location of any liquid fuel leak.

(5) The liquid fuel leak inspection required by this section is a visual inspection only. Smog check technicians are not required to perform any disassembly of the vehicle to inspect for liquid fuel leaks. No special tools or equipment, other than a flashlight and mirror, are required and no raising, hoisting or lifting of the vehicle is required.

(6) Expenditures for repairs made at a licensed smog check station to correct liquid fuel leaks detected during a smog check inspection shall be credited toward the repair cost waiver expenditure specified in section 44017 of the Health and Safety Code, or applied to the repair assistance program co–payment specified in section 44062.1 of the Health and Safety Code and Section 3394.4 of this chapter.

(7) Nothing in this subsection shall prohibit a technician from refusing to inspect a vehicle or from aborting an inspection if a liquid fuel leak presents a safety hazard.

(8) This subsection shall not apply to vehicles fueled exclusively by compressed natural gas (CNG), liquid natural gas (LNG), or liquid petroleum gas (LPG).

(e) On and after November 1, 2007, all motor vehicles subject to the program, except as provided in paragraph (1) of this subsection, shall be given a low–pressure test of the fuel evaporative control system as part of a smog check inspection.

(1) The following vehicles are exempt from the low–pressure fuel evaporative test, and when inspecting these vehicles, the Smog Check technician shall enter "N" (Not Applicable) at the EIS "Fuel Evaporative Test" prompt:

(A) 1996 and newer model–year vehicles that are equipped with a Series II On–Board Diagnostic (OBD II) system with the capability to perform a self–diagnosis of the vehicle's fuel evaporative system;

(B) Vehicles for which there are no fuel tank filler neck adapters;

(C) Vehicles powered exclusively by compressed natural gas (CNG), liquid natural gas (LNG) or liquid petroleum gas (LPG);

[The next page is 115.]

(D) Vehicles not originally equipped, and not required by state or federal law to be equipped, with a fuel evaporation control system;

(E) Vehicles with two or more fully operational fuel tanks; and

(F) Vehicles, in their original factory configuration, with a fuel evaporative canister and fuel vapor hoses that are not accessible or would require the partial dismantling of the vehicle in order to gain access to them for testing. If the fuel evaporative system pressure test is infeasible pursuant to this subparagraph, the technician shall note the location of the canister on the vehicle inspection report provided to the consumer pursuant to Section 3340.41 of this article.

(2) Smog Check stations and Smog Check technicians shall perform the low–pressure test of a vehicle's fuel evaporative systems, using a BAR–certified low–pressure fuel evaporative tester (LPFET). The test shall be performed in accordance with the test procedures and specifications contained in the LPFET instruction manual provided by the tester's manufacturer, and the following, as applicable:

(A) If components related to the vehicle's fuel evaporative system are missing, modified, or disconnected, enter "F" at the EIS "Fuel Evaporative Test" prompt. If the vehicle's fuel evaporation system components are not missing, modified or disconnected, proceed with the test.

(B) If, at the conclusion of the test, the LPFET displays a "P" (pass), enter "P" in the EIS at the "Fuel Evaporative Test" prompt.

(C) If, at the conclusion of the test the LPFET displays an "F" (fail), perform a seal check in accordance with the procedures and specifications contained in the LPFET instruction manual provided by the tester's manufacturer.

1. If, after completion of the appropriate seal check, the system is found to be properly sealed, enter "F" (fail) in the EIS at the "Fuel Evaporative Test" prompt.

2. If, after completion of the appropriate seal check, the system is found not to be properly sealed follow the applicable procedures and specifications contained in the LPFET instruction manual provided by the tester's manufacturer to correct the leaks and effect proper seals.

(D) After all leaks have been corrected, a verification test shall be performed in accordance with the procedures and specifications contained in the LPFET instruction manual provided by the tester's manufacturer.

1. If, at the conclusion of the verification test, the LPFET displays a "P" (pass), enter "P" in the EIS at the "Fuel Evaporative Test" prompt.

2. If, at the conclusion of the verification test the LPFET displays an "F" (fail), enter "F" in the EIS at the "Fuel Evaporative Test" prompt.

(E) At the completion of the test and any necessary verification test, following the procedures and specifications contained in the LPFET instruction manual provided by the tester's manufacturer, depressurize the evaporative system, remove the tester and return the fuel evaporative system to its original configuration.

(3) Nothing in this subsection shall excuse a station or a technician from completing the visual inspection of the vehicle as required by Section 3340.17 or the liquid fuel leak inspection as required by subsection (d) of this section.

(f) On and after January 1, 2008, pursuant to the provisions of section 44012.1 of the Health and Safety Code, all motor vehicles subject to the program shall undergo a visible smoke test during every smoke check inspection to determine whether the vehicle emits any visible smoke from its tailpipe or crankcase. The conditions and procedures for performing the visible smoke test and recording the results shall be as follows:

(1) The test for visible tailpipe smoke shall be performed immediately following the tailpipe emissions phase of the smog check inspection, with the vehicle's engine running at idle. The technician shall return the vehicle to idle, exit the vehicle, walk to the tailpipe area of the vehicle and remove the emission inspection system exhaust probe from the tailpipe. With an unobstructed view of the vehicle's tailpipe, the technician shall observe the tailpipe area for at least 10 seconds. If smoke is observed emanating from the vehicle's tailpipe, the vehicle fails the visible smoke test and the technician shall enter "F" (Defective) in the "Other Emission Related Controls" category of the visual inspection when prompted by the emissions inspection system.

(2) The test for visible smoke emanating from the crankcase shall be performed during the under hood portion of the liquid fuel leak inspection specified in subsection (d). The crankcase and PCV systems shall not be disconnected during the visible smoke test portion of the liquid fuel leak inspection. With the vehicle's engine running at idle, the technician shall observe the crankcase and PCV systems for at least 10 seconds. If smoke is observed emanating from the vehicle's crankcase or PCV systems, the vehicle fails the visible smoke test and the technician shall enter "F" (Defective) in the "Other Emission Related Controls" category of the visual inspection when prompted by the emissions inspection system.

(3) If no smoke is observed emanating from the vehicle's tailpipe, and if no smoke is observed emanating from the vehicle's crankcase or PCV systems, the vehicle passes the visible smoke test. The technician shall enter "P" (Pass) in the "Other Emission Related Controls" category of the visual inspection when prompted by the emissions inspection system. This entry shall be superseded by an entry for any other failure that would normally be recorded in the "Other Emission Related Controls" category of the visual inspection.

(4) Smoke that is observed emanating from any area of a vehicle other than the vehicle's tailpipe, or crankcase or PCV systems, regardless of the cause, shall not constitute a failure of the visible smoke test.

(5) If the vehicle fails the visible smoke test pursuant to paragraphs (1) and/or (2), in addition to entering the failure into the emission inspection system, the technician shall do all of the following:

(A) Document the failure by writing or stamping on the vehicle inspection report in the "Other Emission Related Components" section, "Failed for visible smoke," or "Failed visible smoke test."

(B) Document the failure and the operating conditions under which the failure occurred on the invoice that is given to the customer pursuant to section 9884.8 of the Business and Professions Code and Section 3356 of this chapter.

(C) Provide to the customer the bureau's *Visible Smoke Test Failure Consumer Information Sheet*, form SMOKE INFO (01/07), as shown in Figure 1, with the applicable items completed on the checklist and the vehicle license or identification number. The bureau will furnish stations with a supply of information sheets.

(6) For the purposes of subsection (f), unless the context otherwise requires:

(A) "Tailpipe" means any where the vehicle's exhaust is designed to exit the vehicle under normal conditions. There may be more than one location.

(B) "Unobstructed view" means that there is nothing in the shop environment, such as equipment, tools, tool cabinets, tool boxes, furniture, supplies, or the like, which prevents the technician from observing the exhaust emanating from the vehicle's tailpipe.

(g)(1) In the enhanced program areas, heavy–duty vehicles shall be tested using the loaded–mode testing method as provided in subsection (a) of this section, unless:

(A) The vehicle has a drive axle weight that exceeds 5,000 pounds when the vehicle is unloaded, or

(B) The vehicle is classified by the Department of Motor Vehicles as a motorhome, or

(C) The vehicle has a body and/or chassis configuration or modification made for business purposes that renders the vehicle incompatible with loaded–mode testing, or

(D) The emission inspection system prompts the technician to perform the two–speed idle test.

(2) For the purposes of this subsection, the term "unloaded" shall mean that the vehicle is not currently transporting loads for delivery or is not carrying items of a temporary nature, but excludes items that have been welded, bolted or otherwise permanently affixed to the vehicle, and tools, supplies, parts, hardware, equipment or devices of a similar nature that are routinely carried in or on the vehicle in the performance of the work for which the vehicle is primarily used.

(3) For the purposes of this subsection, modifications that render a vehicle incompatible with loaded–mode testing shall not include any tire,

wheel, body or chassis modifications made for other than business purposes.

(4) If it is determined that a heavy-duty vehicle cannot be subjected to a loaded-mode test for any of the reasons set forth in subparagraphs (A) through (D) of paragraph (1) of this subsection, the technician shall perform a two-speed idle test. The technician shall also note on the final invoice the justification for the performance of a two-speed idle test.

(h) Pursuant to section 39032.5 of the Health and Safety Code, gross polluter standards are as follows:

(1) A gross polluter means a vehicle with excess hydrocarbon, carbon monoxide, or oxides of nitrogen emissions pursuant to the gross polluter emissions standards included in TABLES I, II or III.

(2) Vehicles with emission levels exceeding the emission standards for gross polluters during an initial inspection will be considered gross polluters and the provisions pertaining to gross polluting vehicles will apply, including, but not limited to, sections 44014.5, 44015, 44017 and 44081 of the Health and Safety Code.

(3) A gross polluting vehicle shall not be passed or issued a certificate of compliance until the vehicle's emissions are reduced to or below the applicable emissions standards for the vehicle as indicated in TABLES I, II, or III. However, the provisions described in section 44017 of the Health and Safety Code may apply.

(4) This subsection applies in all program areas statewide to vehicles requiring inspection pursuant to sections 44005 and 44011 of the Health and Safety Code

NOTE: Authority cited: Sections 44001.5, 44002, 44003, 44012, 44012.1, 44013 and 44036, Health and Safety Code; and Section 9882, Business and Professions Code. Reference: Sections 39032.5, 44002, 44003, 44005, 44010, 44011, 44011.3, 44012, 44012.1, 44013, 44014, 44014.5, 44014.7, 44015, 44017, 44017.1, 44032, 44033, 44036, 44037.1, 44062.1 and 44081, Health and Safety Code; and Sections 9884.8 and 9884.9, Business and Professions Code.

HISTORY

1. Editorial correction of printing error (Register 84, No. 32).
2. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
3. Amendment of Table II filed 5–11–90; operative 6–10–90 (Register 90, No. 26).
4. Amendment of section and NOTE, repealer and new Tables I–II, and new Table III filed 6–22–95 as an emergency; operative 6–22–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–20–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 6–22–95 order including amendment of section and Tables I–III transmitted to OAL 10–20–95 and filed 12–1–95 (Register 95, No. 48).
6. Amendment of first paragraph filed 4–29–96 as an emergency; operative 4–29–96 (Register 96, No. 18). A Certificate of Compliance must be transmitted to OAL by 8–27–96 or emergency language will be repealed by operation of law on the following day.
7. Amendment of opening paragraph and subsection (b), repealer of subsection (c)(5) and subsection renumbering and amendment of newly designated subsection (c)(5) filed 7–26–96 as an emergency; operative 7–26–96 (Register 96, No. 30). A Certificate of Compliance must be transmitted to OAL by 11–25–96 or emergency language will be repealed by operation of law on the following day.
8. Certificate of Compliance as to 4–29–96 order transmitted to OAL 8–21–96 and filed 9–30–96 (Register 96, No. 40).
9. Certificate of Compliance as to 7–26–96 order, including amendment of first paragraph and subsections (a)(1)(C)1.–3. and (b), transmitted to OAL 11–19–96 and filed 1–6–97 (Register 97, No. 2).
10. Amendment of Table III filed 4–4–97 as an emergency; operative 4–4–97 (Register 97, No. 14). A Certificate of Compliance must be transmitted to OAL by 8–4–97 or emergency language will be repealed by operation of law on the following day.
11. Editorial correction of first paragraph (Register 97, No. 33).
12. Certificate of Compliance as to 4–4–97 order transmitted to OAL 7–2–97 and filed 8–13–97 (Register 97, No. 33).
13. Amendment of section heading, section and NOTE filed 9–10–2001; operative 9–10–2001 pursuant to Government Code section 11343.4 (Register 2001, No. 37).
14. Amendment of first paragraph filed 2–15–2002 as an emergency; operative 2–15–2002 (Register 2002, No. 7). A Certificate of Compliance must be transmitted to OAL by 6–17–2002 or emergency language will be repealed by operation of law on the following day.
15. Repealer and new Table I filed 5–28–2002; operative 6–27–2002 (Register 2002, No. 22).
16. Certificate of Compliance as to 2–15–2002 order transmitted to OAL 6–13–2002 and filed 7–26–2002 (Register 2002, No. 30).
17. Amendment of section and repealer and new Table II filed 1–21–2003; operative 2–20–2003 (Register 2003, No. 4).
18. Change without regulatory effect amending Table II filed 6–4–2003 pursuant to section 100, title 1, California Code of Regulations (Register 2003, No. 23).
19. Amendment of first paragraph filed 6–9–2003; operative 7–9–2003 (Register 2003, No. 24).
20. Change without regulatory effect amending first paragraph and subsections (a)(2)–(3), (b)(3), (b)(6)–(7), (d)(1) and (d)(4) filed 10–11–2006 pursuant to section 100, title 1, California Code of Regulations (Register 2006, No. 41).
21. New subsections (c)–(c)(3), subsection relettering and amendment of NOTE filed 8–1–2007; operative 8–1–2007 pursuant to Government Code section 11343.4 (Register 2007, No. 31).
22. Amendment of section heading, section and NOTE filed 1–11–2008; operative 1–11–2008 pursuant to Government Code section 11343.4 (Register 2008, No. 2).

TABLE I
Acceleration Simulation Mode
Emission Standards and Gross Polluter Standards

ESC	MODEL YEAR GROUP	VEHICLE TYPE						PASS/FAIL EMISSION STANDARD						GROSS POLLUTER STANDARD					
								ASM 5015			ASM 2525			ASM 5015			ASM 2525		
		PC	LDT1	LDT2	MDV	HDV		HC	CO	NO	HC	CO	NO	HC	CO	NO	HC	CO	NO
1	1974-	X	X	X			A	235.4	1.74	1301.5	185.4	1.76	1161.5	435.4	4.26	2659.3	385.4	4.06	2459.3
							B	436041.7	4453.19	1192593.0	436041.7	4453.19	1192593.0	436041.7	4453.19	1703703.7	436041.7	4453.19	1703703.7
2	1975-1980	X					A	123.0	0.58	1016.3	90.3	0.57	876.3	315.3	2.51	2051.9	265.3	2.31	1851.9
							B	273316.7	1362.96	1043519.0	273316.7	1362.96	1043519.0	273316.7	1362.96	1490740.7	273316.7	1362.96	1490740.7
3	1981-1983	X					A	63.2	0.37	850.0	42.1	0.29	680.0	253.1	2.14	1844.4	192.4	1.94	1644.4
							B	234259.3	1064.81	894444.5	212963.0	1064.81	894444.5	234259.3	1064.81	1277777.8	212963.0	1064.81	1277777.8
4	1984-1986	X					A	67.0	0.39	850.0	42.1	0.31	680.0	242.4	2.02	1744.4	192.4	1.82	1544.4
							B	212963.0	979.63	894444.5	212963.0	979.63	894444.5	212963.0	979.63	1277777.8	212963.0	979.63	1277777.8
5	1987-1992	X					A	57.0	0.16	608.0	31.7	0.09	547.0	231.7	1.98	1729.6	181.7	1.82	1529.6
							B	191666.7	851.85	596296.3	191666.7	979.63	596296.3	191666.7	851.85	851851.9	191666.7	979.63	851851.9
6	1993-1995	X					A	16.8	0.10	260.0	0.5	0.08	547.0	234.3	1.79	1759.3	184.3	1.73	1559.3
							B	128501.9	315.00	596296.3	128501.9	290.00	596296.3	128501.9	724.07	553703.7	128501.9	851.85	553703.7
7	1996-2000	X					A	16.8	0.10	260.0	0.5	0.08	547.0	234.3	1.79	1759.3	184.3	1.73	1559.3
							B	128501.9	315.00	596296.3	128501.9	290.00	596296.3	128501.9	724.07	553703.7	128501.9	851.85	553703.7
8	2001-2003	X					A	16.8	0.10	260.0	0.5	0.08	547.0	234.3	1.79	1759.3	184.3	1.73	1559.3
							B	128501.9	315.00	596296.3	128501.9	290.00	596296.3	128501.9	724.07	553703.7	128501.9	851.85	553703.7
9	2004+	X					A	16.8	0.10	260.0	0.5	0.08	547.0	234.3	1.79	1759.3	184.3	1.73	1559.3
							B	128501.9	315.00	596296.3	128501.9	290.00	596296.3	128501.9	724.07	553703.7	128501.9	851.85	553703.7
10	1975-1978		X				A	139.4	0.43	1320.9	105.0	0.42	1180.9	330.0	2.58	2487.0	280.0	2.38	2287.0
							B	225000.0	2025.00	745370.4	225000.0	2025.00	745370.4	225000.0	2025.00	1064814.8	225000.0	2025.00	1064814.8
11	1979-1983		X				A	139.4	0.43	1315.7	80.0	0.42	1175.7	320.0	2.38	2479.6	255.0	2.18	2279.6
							B	225000.0	2025.00	596296.3	150000.0	2025.00	596296.3	225000.0	2025.00	851851.9	150000.0	2025.00	851851.9
12	1984-1987		X				A	91.3	0.41	945.0	63.1	0.32	840.0	280.0	1.71	1850.0	230.0	1.80	1700.0
							B	150000.0	1725.00	525000.0	150000.0	2250.00	1050000.0	150000.0	1725.00	750000.0	150000.0	2250.00	1500000.0
13	1988-1992		X				A	83.0	0.26	875.0	63.1	0.22	735.0	270.0	1.57	1600.0	220.0	1.73	1400.0
							B	150000.0	1725.00	525000.0	150000.0	1725.00	525000.0	150000.0	1725.00	750000.0	150000.0	1875.00	750000.0
14	1993-1995		X				A	22.1	0.10	377.0	5.8	0.08	630.0	247.5	1.60	1350.0	197.5	1.70	1400.0
							B	112500.0	315.00	525000.0	112500.0	290.00	525000.0	112500.0	1350.00	750000.0	112500.0	1500.00	750000.0
15	1996-2000		X				A	22.1	0.10	377.0	5.8	0.08	630.0	247.5	1.60	1350.0	197.5	1.70	1400.0
							B	112500.0	315.00	525000.0	112500.0	290.00	525000.0	112500.0	1350.00	750000.0	112500.0	1500.00	750000.0
16	2001-2003		X				A	22.1	0.10	377.0	5.8	0.08	630.0	247.5	1.60	1350.0	197.5	1.70	1400.0
							B	112500.0	315.00	525000.0	112500.0	290.00	525000.0	112500.0	1350.00	750000.0	112500.0	1500.00	750000.0
17	2004+		X				A	22.1	0.10	377.0	5.8	0.08	630.0	247.5	1.60	1350.0	197.5	1.70	1400.0
							B	112500.0	315.00	525000.0	112500.0	290.00	525000.0	112500.0	1350.00	750000.0	112500.0	1500.00	750000.0
18	1975-1978			X			A	139.4	0.43	1320.9	105.0	0.42	1180.9	330.0	2.58	2487.0	280.0	2.38	2287.0
							B	225000.0	2025.00	745370.4	225000.0	2025.00	745370.4	225000.0	2025.00	1064814.8	225000.0	2025.00	1064814.8
19	1979-1983			X			A	139.4	0.43	1315.7	80.0	0.42	1175.7	320.0	2.38	2479.6	255.0	2.18	2279.6
							B	225000.0	2025.00	596296.3	150000.0	2025.00	596296.3	225000.0	2025.00	851851.9	150000.0	2025.00	851851.9
20	1984-1987			X			A	91.3	0.41	945.0	63.1	0.32	840.0	280.0	1.71	1850.0	230.0	1.80	1700.0
							B	150000.0	1725.00	525000.0	150000.0	2250.00	1050000.0	150000.0	1725.00	750000.0	150000.0	2250.00	1500000.0
21	1988-1992			X			A	83.0	0.26	875.0	63.1	0.22	735.0	270.0	1.57	1600.0	220.0	1.73	1400.0
							B	150000.0	1725.00	525000.0	150000.0	1725.00	525000.0	150000.0	1725.00	750000.0	150000.0	1875.00	750000.0
22	1993-1995			X			A	22.1	0.10	377.0	5.8	0.08	630.0	247.5	1.60	1350.0	197.5	1.70	1400.0
							B	112500.0	315.00	525000.0	112500.0	290.00	525000.0	112500.0	1350.00	750000.0	112500.0	1500.00	750000.0
23	1996-2000			X			A	22.1	0.10	377.0	5.8	0.08	630.0	247.5	1.60	1350.0	197.5	1.70	1400.0
							B	112500.0	315.00	525000.0	112500.0	290.00	525000.0	112500.0	1350.00	750000.0	112500.0	1500.00	750000.0
24	2001-2003			X			A	22.1	0.10	377.0	5.8	0.08	630.0	247.5	1.60	1350.0	197.5	1.70	1400.0
							B	112500.0	315.00	525000.0	112500.0	290.00	525000.0	112500.0	1350.00	750000.0	112500.0	1500.00	750000.0
25	2004+			X			A	22.1	0.10	377.0	5.8	0.08	630.0	247.5	1.60	1350.0	197.5	1.70	1400.0
							B	112500.0	315.00	525000.0	112500.0	290.00	525000.0	112500.0	1350.00	750000.0	112500.0	1500.00	750000.0

1 of 2
TABLE_I.xls
modified: 10/31/2001

TABLE I
Acceleration Simulation Mode
Emission Standards and Gross Polluter Standards

ESC	MODEL YEAR GROUP	VEHICLE TYPE						PASS/FAIL EMISSION STANDARD						GROSS POLLUTER STANDARD					
								ASM 5015			ASM 2525			ASM 5015			ASM 2525		
		PC	LDT1	LDT2	MDV	HDV		HC	CO	NO	HC	CO	NO	HC	CO	NO	HC	CO	NO
26	1978-				X		A	173.3	2.90	1703.3	123.3	2.70	1563.3	423.3	5.40	3233.3	373.3	5.20	3033.3
							B	583333.3	3500.00	1633333.3	583333.3	3500.00	1633333.3	583333.3	3500.00	2333333.3	583333.3	3500.00	2333333.3
27	1979-1983				X		A	139.4	0.43	1315.7	80.0	0.42	1175.7	320.0	2.38	2479.6	255.0	2.18	2279.6
							B	225000.0	2025.00	596296.3	150000.0	2025.00	596296.3	225000.0	2025.00	851851.9	150000.0	2025.00	851851.9
28	1984-1987				X		A	91.3	0.41	945.0	63.1	0.32	840.0	280.0	1.71	1850.0	230.0	1.80	1700.0
							B	150000.0	1725.00	525000.0	150000.0	2250.00	1050000.0	150000.0	1725.00	750000.0	150000.0	2250.00	1500000.0
29	1988-1992				X		A	83.0	0.26	875.0	63.1	0.22	735.0	270.0	1.57	1600.0	220.0	1.73	1400.0
							B	150000.0	1725.00	525000.0	150000.0	1725.00	525000.0	150000.0	1725.00	750000.0	150000.0	1875.00	750000.0
30	1993-1995				X		A	71.2	0.30	875.0	60.0	0.22	735.0	300.0	1.60	1750.0	250.0	2.00	1550.0
							B	150000.0	1350.00	525000.0	150000.0	1725.00	525000.0	150000.0	1350.00	750000.0	150000.0	1500.00	750000.0
31	1996-2000				X		A	71.2	0.30	875.0	60.0	0.22	735.0	300.0	1.60	1750.0	250.0	2.00	1550.0
							B	150000.0	1350.00	525000.0	150000.0	1725.00	525000.0	150000.0	1350.00	750000.0	150000.0	1500.00	750000.0
32	2001-2003				X		A	71.2	0.30	875.0	60.0	0.22	735.0	300.0	1.60	1750.0	250.0	2.00	1550.0
							B	150000.0	1350.00	525000.0	150000.0	1725.00	525000.0	150000.0	1350.00	750000.0	150000.0	1500.00	750000.0
33	2004+				X		A	71.2	0.30	875.0	60.0	0.22	735.0	300.0	1.60	1750.0	250.0	2.00	1550.0
							B	150000.0	1350.00	525000.0	150000.0	1725.00	525000.0	150000.0	1350.00	750000.0	150000.0	1500.00	750000.0
34	1978-					X	A	243.8	3.92	2615.8	199.8	3.92	2770.8	594.9	7.29	4970.0	605.4	7.57	5375.4
							B	583333.3	3500.00	1633333.3	583333.3	3500.00	1633333.3	583333.3	3500.00	1633333.3	583333.3	3500.00	1633333.3
35	1979-1983					X	A	205.5	2.16	2250.6	106.0	1.96	2400.6	454.2	5.83	4231.1	338.1	6.29	4657.2
							B	225000.0	2025.00	596296.3	150000.0	2025.00	596296.3	225000.0	2025.00	596296.3	150000.0	2025.00	596296.3
36	1984-1987					X	A	143.0	1.60	2162.5	78.0	1.80	1975.0	307.5	6.67	4238.5	224.6	6.48	3989.5
							B	150000.0	1725.00	525000.0	150000.0	2250.00	1050000.0	150000.0	1725.00	525000.0	150000.0	2250.00	1050000.0
37	1988-1992					X	A	105.0	1.01	2112.5	78.0	1.24	2062.5	236.3	5.87	3865.9	244.9	4.98	3918.8
							B	150000.0	1725.00	525000.0	150000.0	1875.00	525000.0	150000.0	1725.00	525000.0	150000.0	1875.00	525000.0
38	1993-1995					X	A	105.0	0.49	1912.5	75.0	1.22	1862.5	210.0	2.61	3825.0	187.5	3.49	3929.9
							B	150000.0	1350.00	525000.0	150000.0	1500.00	525000.0	150000.0	1350.00	525000.0	150000.0	1500.00	525000.0
39	1996-2000					X	A	105.0	0.49	1662.5	75.0	1.16	1462.5	210.0	2.61	3325.0	187.5	3.32	3085.9
							B	150000.0	1350.00	525000.0	150000.0	1500.00	525000.0	150000.0	1350.00	525000.0	150000.0	1500.00	525000.0
40	2001+					X	A	105.0	0.49	1662.5	75.0	1.16	1462.5	210.0	2.61	3325.0	187.5	3.32	3085.9
							B	150000.0	1350.00	525000.0	150000.0	1500.00	525000.0	150000.0	1350.00	525000.0	150000.0	1500.00	525000.0

Legend:

ESC - Emissions Standard Category
VTW - Vehicle test weight.
GVWR - Manufacture's Gross Vehicle Weight Rating
HC - Hydrocarbon, ppm
CO - Carbon Monoxide, %
NO - Nitric Oxide, ppm

Pass/Fail Emission Standards = A + B / VTW

PASS/FAIL STANDARDS - Emission standards used to determine if a vehicle passes the emission inspection. A vehicle passes if the emission levels are equal to or less than the standards for HC, CO and NO for ASM 5015 and ASM2525.

GROSS POLLUTER STANDARDS - Emission standards used to designate a vehicle as a gross polluter. A vehicle is designated as a gross polluter if the emissions levels at the time of the initial inspection, before repairs are greater than the gross polluter standards for HC, CO or NO for ASM 5015 or ASM2525.

NOTE:

If test data on emission pass/fail rates or gross polluter identification rates indicate adjustments are required, the emission standards may be increased or decreased by the bureau by 30% or by the following tolerances, or standards may be set for any specific vehicle and engine configuration which the bureau determines has excessive errors of commission or omission, whichever is necessary to comply with Section 44001.5 of the Health and Safety Code.
HC = 150 ppm, CO = 1.50%, NO = 350 ppm.

TABLE II
Acceleration Simulation Mode
Emission Standards and Gross Polluter Standards for Heavy-Duty Vehicles

ESC	MODEL YEAR GROUP	VEHICLE TYPE					AVG. EMISSIONS FOR PASSING VEHICLES							PASS/FAIL EMISSION STANDARD						GROSS POLLUTER STANDARD					
							ASM 5015			ASM 2525				ASM 5015			ASM 2525			ASM 5015			ASM 2525		
		PC	LDT1	LDT2	MDV	HDV	HC	CO	NO	HC	CO	NO		HC	CO	NO	HC	CO	NO	HC	CO	NO	HC	CO	NO
46	1978-					X							A	243.8	3.92	2615.8	199.8	3.92	2770.8	594.9	7.29	4970.0	605.4	7.57	5375.4
													B	583333.3	3500.00	1633333.3	583333.3	3500.00	1633333.3	583333.3	3500.00	1633333.3	583333.3	3500.00	1633333.3
47	1979 - 1983					X							A	205.5	2.16	2250.6	106.0	1.96	2400.6	454.2	5.83	4231.1	338.1	6.29	4657.2
													B	225000.0	2025.00	596296.3	150000.0	2025.00	596296.3	225000.0	2025.00	596296.3	150000.0	2025.00	596296.3
48	1984 - 1987					X							A	143.0	1.60	2162.5	78.0	1.80	1975.0	307.5	6.67	4238.5	224.6	6.48	3989.5
													B	150000.0	1725.00	525000.0	150000.0	2250.00	1050000.0	150000.0	1725.00	525000.0	150000.0	2250.00	1050000.0
49	1988 - 1992					X							A	105.0	1.01	2112.5	78.0	1.24	2062.5	236.3	5.87	3865.9	244.9	4.98	3918.8
													B	150000.0	1725.00	525000.0	150000.0	1875.00	525000.0	150000.0	1725.00	525000.0	150000.0	1875.00	525000.0
50	1993 - 1995					X							A	105.0	0.49	1912.5	75.0	1.22	1862.5	210.0	2.61	3825.0	187.5	3.49	3929.9
													B	150000.0	1350.00	525000.0	150000.0	1500.00	525000.0	150000.0	1350.00	525000.0	150000.0	1500.00	525000.0
51	1996 - 2000					X							A	105.0	0.49	1662.5	75.0	1.16	1462.5	210.0	2.61	3325.0	187.5	3.32	3085.9
													B	150000.0	1350.00	525000.0	150000.0	1500.00	525000.0	150000.0	1350.00	525000.0	150000.0	1500.00	525000.0
52	2001+					X							A	105.0	0.49	1662.5	75.0	1.16	1462.5	210.0	2.61	3325.0	187.5	3.32	3085.9
													B	150000.0	1350.00	525000.0	150000.0	1500.00	525000.0	150000.0	1350.00	525000.0	150000.0	1500.00	525000.0

Legend:
ESC - Emissions Standard Category
VTW - Vehicle test weight.
GVWR - Manufacture's Gross Vehicle Weight Rating
HC - Hydrocarbon, ppm
CO - Carbon Monoxide, %
NO - Nitric Oxide, ppm

Pass/Fail Emission Standards = A + B / VTW

PASS/FAIL STANDARDS - Emission standards used to determine if a vehicle passes the emission inspection. A vehicle passes if the emission levels are equal to or less than the standards for HC, CO and NO for ASM 5015 and ASM2525.

GROSS POLLUTER STANDARDS - Emission standards used to designate a vehicle as a gross polluter. A vehicle is designated as a gross polluter if the emissions levels at the time of the initial inspection, before repairs are greater than the gross polluter standards for HC, CO or NO for ASM 5015 or ASM2525.

NOTE:
If test data on emission pass/fail rates or gross polluter identification rates indicate adjustments are required, the emission standards may be increased or decreased by the bureau by 30% or by the following tolerances, or standards may be set for any specific vehicle and engine configuration which the bureau determines has excessive errors of commission or omission, whichever is necessary to comply with Section 44001.5 of the Health and Safety Code.
HC = 150 ppm, CO = 1.50%, NO = 350 ppm.

TABLE III
Emission Standards, Gross Polluter Standards, Dilution Thresholds *and Maximum Idle RPM Limits for the Two-Speed Idle Test*

ESC	MODEL YEAR GROUP	VEHICLE TYPE (by GVWR)					PASS/FAIL STANDARDS				GROSS POLLUTER STANDARDS					
		Passenger	TRUCK (includes motorhome, minivan, sport utility)													
		≤6,000	≤6,000	6,001 to 8,500	8,501 to 14,000	≥14,001	IDLE HC	IDLE CO	2500 HC	2500 CO	IDLE HC	IDLE CO	2500 HC	2500 CO	MIN CO + CO_2	MAX IDLE RPM
1	1966-1967	X	X				700	5.5	600	4.5	950	8.0	850	7.0	8.0	1100
2	1968-1970	X	X				650	5.5	600	4.5	900	8.0	850	7.0	8.0	1100
3	1971-1974	X	X				550	5.0	400	4.0	800	7.5	650	6.5	8.0	1100
4	1975-1980	X					220	2.0	180	1.7	470	4.5	430	4.2	8.0	1100
5	1981-1983	X					120	1.5	150	1.5	270	3.0	300	3.0	8.0	1100
6	1984-1986	X					120	1.0	150	1.2	270	2.5	300	2.7	7.0	1100
7	1987-1992	X					120	1.0	140	1.0	270	2.5	290	2.5	7.0	1100
8	1993+	X					100	1.0	130	1.0	250	2.5	280	2.5	8.0	1100
9	1975-1978		X				250	2.5	200	3.0	500	5.0	450	5.5	7.0	1100
10	1979-1983		X	X			250	2.0	200	2.0	400	3.5	350	3.5	8.0	1100
11	1984-1987		X	X			150	1.2	180	1.2	300	2.7	330	2.7	7.0	1100
12	1988-1992		X	X			120	1.0	180	1.0	270	2.5	330	2.5	8.0	1100
13	1993+		X				100	1.0	170	1.0	250	2.5	320	2.5	7.0	1100
14	1993+			X			100	1.0	180	1.1	250	2.5	330	2.6	7.0	1200
15	1966-1969			X	X	X	700	5.5	750	5.0	950	8.0	1000	7.5	7.0	1200
16	1970-1973			X			550	5.0	600	4.5	800	7.5	850	7.0	8.0	1200
17	1974-1978			X			300	3.0	350	3.5	550	5.5	600	6.0	7.0	1200
18	1979-1983				X	X	250	2.2	250	3.0	400	3.7	400	4.5	7.0	1200
19	1984-1986				X	X	250	1.5	200	1.6	400	3.0	350	3.1	7.0	1200
20	1987-1990				X		220	1.5	200	1.6	370	3.0	350	3.1	7.0	1100
21	1991+				X		150	1.2	150	1.5	300	2.7	300	3.0	7.0	1100
22	1987-1990					X	250	2.5	200	1.6	400	4.0	350	3.1	7.0	1100
23	1991+					X	150	1.5	150	1.5	300	3.0	300	3.0	7.0	1100
24	**1970-1978**				**X**	**X**	**550**	**5.0**	**600**	**4.5**	**800**	**7.5**	**850**	**7.0**	**8.0**	**1200**

Legend:
ESC = Emissions Standards Category
GVWR = Manufacturer's Gross Vehicle Weight Rating

PASS/FAIL STANDARDS = Emission standards used to determine if a vehicle passes the emissions portion of the inspection -- a vehicle passes if the emission levels are equal to or less than the hydrocarbon or carbon monoxide standard for the idle or 2500 RPM inspection.

GROSS POLLUTER STANDARDS = Emissions standards used to designate a vehicle as a gross polluter. *A vehicle is designated as a gross polluter if the emissions levels at the time of the initial inspection,* before repairs, are greater than the gross polluter standards for hydrocarbon or carbon monoxide for the idle or 2500 RPM inspection.

HC = Hydrocarbon
CO = Carbon Monoxide
MIN. CO + CO_2 = Minimum CO + CO_2 dilution threshold
MAX. IDLE RPM = Maximum Idle RPM Limits

NOTE: If test data on emission pass/fail rates or gross polluter identification rates indicate adjustments are required, the emission standards may be increased or decreased by the bureau by 30% or by the following tolerances, or standards may be set for any specific vehicle and engine configuration which the bureau determines has excessive errors of commission or omission, whichever is necessary to comply with section 44001.5 of the Health and Safety Code.

CO	1.5%	CO + CO_2	5%
HC	150 ppm	Maximum Idle 500 RPM	
NOx	350 ppm		

Figure 1. Visible Smoke Test Failure Consumer Information Sheet

DEPARTMENT OF CONSUMER AFFAIRS
B.A.R
Bureau of Automotive Repair

VISIBLE SMOKE TEST FAILURE CONSUMER INFORMATION SHEET

Date: _____ Vehicle License No. or VIN: _____

Your vehicle FAILED its Smog Check for "Visible Smoke" because:

"Smoke" was seen coming from your vehicle's:
❒ Tailpipe following the emissions phase of the Smog Check inspection.
❒ Crankcase or PCV system during the underhood visual inspection.

Common Causes of Vehicle Smoke

Color of Smoke	Diagnosis	Probable Cause
Blue or **Bluish-White**	Engine or transmission oil being burned	• Oil leaking into combustion chamber • Worn piston rings, valve guides, or cylinders • Defective intake manifold • Defective head gasket • Transmission vacuum modulator defective
Black or **Gray**	Incomplete fuel combustion	• Clogged air filter • Carburetor, choke, fuel injection, or emission system malfunction • Ignition timing incorrect • Low compression from engine wear or burned valve

Smoke seen coming from a vehicle's tailpipe contributes to California's air quality problems. The smoke consists of small particles that are breathed in and can cause lung problems, heart disease, and other health consequences. In addition, smoke from an engine also damages other emission control systems on a vehicle, like the catalytic converter and Oxygen (O_2) sensor, making them less effective. Less effective emissions systems translates to dirtier air for all of California.

A new California law, Section 44012.1 of the Health and Safety Code, requires that vehicles subject to a Smog Check inspection undergo a visual test for smoke from the engine crankcase and tailpipe. California Vehicle Code section 27153 has for many years prohibited the operation of smoking vehicles on California's roadways. Doing so could subject the operator/owner to the issuance of a citation by the California Highway Patrol or a local law enforcement agency. The new smoke test may help protect vehicle operators/owners from receiving a citation for the illegal on-road operation of a smoking vehicle. Any vehicle that fails a "Visible Smoke Test" must be repaired in order to PASS a Smog Check.

Please take this Consumer Information Sheet with you to the repair shop you select to perform repairs. You may be eligible for repair assistance or California's Voluntary Vehicle Retirement Program. Contact the Bureau of Automotive Repair's Consumer Assistance Program to see if you qualify.

If you wish to dispute your vehicle's smoke test results, you may schedule a Bureau of Automotive Repair Referee verification test by calling (800) 622-7733 for an appointment.

For more information or for any other questions, call the Bureau of Automotive Repair at (800) 952-5210, or visit the Bureau's Web site at www.smogcheck.ca.gov.

SMOKE INFO (01/07)

§ 16–3340.45. Cost Limitations.

The cost limitation prescribed by Section 44017 of the Health and Safety Code is set at $50 in all implementation areas.

NOTE: Authority cited: Sections 44002 and 44017, Health and Safety Code. Reference: Sections 44015(b) and (c) and 44017, Health and Safety Code.

§ 16–3340.50. Fleet Facility Requirements.

The owner of a fleet of vehicles shall meet the following requirements for licensure as a fleet facility smog check station, if they choose to be so licensed, and shall comply with these requirements at all times while licensed.

(a) Number of Fleet Vehicles. The fleet facility shall own and operate a fleet of 10 or more vehicles which are subject to the program and are exclusively for the use of fleet employees, for sale, or for rental or lease to members of the public in the regular course of business.

(b) Equipment. The fleet facility shall have the equipment required by a smog check station, as set forth in sections 3340.16.5 and 3340.17 of this chapter. Equipment shall be maintained and calibrated in accordance with section 3340.17 of this chapter.

(c) Licensed Technician. A licensed technician, other than an Intern Technician, shall be present at the facility when necessary to test, inspect, repair, or supervise the repair of a vehicle.

(d) Intern Technician. The fleet facility shall not have in its employ more than two Intern Technicians at any given time. The repairs or adjustments made by Intern Technicians at a fleet facility to emissions control systems on vehicles subject to the smog check program shall be performed under the direction of a supervising technician that is on the premises of the fleet facility at the time of the repair or adjustment.

(e) Work Area. The work area shall meet all the requirements specified in section 3340.15(a) of this article.

(f) Vehicles Serviced. A licensed fleet facility shall test, repair, and certify only vehicles owned by it. The repair cost limit shall not apply to the repair of fleet vehicles.

(g) Onsite Inspection. The responsible managing employee of the fleet facility shall provide the bureau with whatever access, information, and other cooperation is necessary to facilitate onsite inspection of the fleet's vehicles or inspection system. At the bureau's request, the licensed technician shall be present during regular business hours (8 a.m. to 5 p.m.) at a time agreed upon by the licensed technician and a bureau representative.

(h) Display of Licenses. The station license and technician licenses shall be posted prominently in an area accessible to the bureau or its representative.

(i) Manuals and Bulletins. Bureau manuals and bulletins pertaining to fleet facilities shall be maintained in a location readily accessible to licensed technicians.

NOTE: Authority cited: Section 44002, Health and Safety Code. Reference: Sections 44020 and 44045.5, Health and Safety Code.

HISTORY

1. Amendment of subsection (e) filed 8–24–88; operative 9–23–88 (Register 88, No. 37).
2. Amendment filed 4–16–90; operative 4–16–90 (Register 90, No. 19).
3. Editorial correction of printing error in subsection (e) (Register 91, No. 6).
4. Amendment filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 6–23–95 order transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).
6. Amendment of subsections (b) and (c) filed 7–26–96 as an emergency; operative 7–26–96 (Register 96, No. 30). A Certificate of Compliance must be transmitted to OAL by 11–25–96 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 7–26–96 order, including amendment of first paragraph, transmitted to OAL 11–19–96 and filed 1–6–97 (Register 97, No. 2).
8. Amendment of subsection (b) filed 2–15–2002 as an emergency; operative 2–15–2002 (Register 2002, No. 7). A Certificate of Compliance must be transmitted to OAL by 6–17–2002 or emergency language will be repealed by operation of law on the following day.
9. Certificate of Compliance as to 2–15–2002 order transmitted to OAL 6–13–2002 and filed 7–26–2002 (Register 2002, No. 30).

§ 16–3340.50.1. Application for Fleet Facility License; Renewal; Replacement.

(a) Initial License. To become licensed as a fleet facility, a fleet owner shall submit an application on a form prescribed by the bureau. The fleet facility license shall expire one year from the last day of the month in which the license was issued. A fleet facility license is not transferable.

(b) Renewal. A fleet facility licensee shall submit a timely and proper renewal application to the bureau. A licensee whose license has expired shall immediately cease to inspect or test vehicles or issue certificates.

(c) Duplicate Licenses. Application for a duplicate license shall be made to the bureau in accordance with Section 3340.10(e) of this article.

(d) Replacement License. Replacement of licenses shall be handled in accordance with Section 3340.10(e) of this article, except that no fee is required.

NOTE: Authority cited: Section 44020 of the Health and Safety Code. Reference 44020, Health and Safety Code.

§ 16–3340.50.3. Fleet Records and Reporting Requirements.

(a) All data relating to licensed test and repair activities shall be recorded on forms supplied by the bureau.

(b) The licensed fleet facility shall maintain certificate books prescribed by the bureau. All required information shall be recorded on the certificate by the licensed technician on the day the final test on a vehicle was performed. Each certificate shall be signed and dated by the licensed technician on the day of the final test on a vehicle. For permanently registered fleets, an alternate procedure for certifying vehicles may be allowed by the bureau.

(c) The records required to be maintained by subsections (a) and (b) shall be retained for a period of not less than three years after the completion of ay test or repair to which the records refer.

NOTE: Authority cited: Section 44002 and 44020(a) and (b) of the Health and Safety Code. Reference: Sections 44020 and 44045.5, Health and Safety Code.

HISTORY

1. Amendment of subsection (b) and NOTE filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 6–23–95 order transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).

§ 16–3340.50.4. Fleet Certificates.

(a) A licensed fleet facility shall order and purchase a certificate of compliance, or noncompliance from the bureau or an authorized agent of the bureau only, for a fee determined pursuant to section 3340.35.1 of these regulations. A certificate of compliance or noncompliance is not transferable.

(b) A certificate of compliance shall be issued only for a vehicle that complies with the emission control system requirements and meets the exhaust emission standards established by the bureau.

NOTE: Authority cited: Sections 44002, 44020 and 44060, Health and Safety Code. Reference: Sections 44010, 44020(c) and 44060, Health and Safety Code.

HISTORY

1. Amendment of subsection (a) filed 8–24–88; operative 9–23–88 (Register 88, No. 37).
2. Amendment of subsection (a) filed 1–25–89; operative 3–1–89 (Register 89, No. 7).
3. Amendment of subsection (a) filed 12–18–91; operative 2–1–92 (Register 92, No. 10).
4. Amendment of subsection (a) filed 5–8–95 as an emergency; operative 5–8–95 (Register 95, No. 19). A Certificate of Compliance must be transmitted to OAL by 9–5–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 5–8–95 order transmitted to OAL 8–31–95 and filed 9–25–95 (Register 95, No. 39).
6. Amendment of subsection (a) filed 2–11–97 as an emergency; operative 2–11–97 (Register 97, No. 7). A Certificate of Compliance must be transmitted to OAL by 6–11–97 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 2–11–97 order transmitted to OAL 5–30–97 and filed 7–8–97 (Register 97, No. 28).
8. Amendment of subsection (a) filed 2–26–98 as an emergency; operative 2–26–98 (Register 98, No. 9). A Certificate of Compliance must be transmitted to OAL by 6–26–98 or emergency language will be repealed by operation of law on the following day.

9. Amendment of subsection (a) refiled 6–24–98 as an emergency; operative 6–25–98 (Register 98, No. 26). A Certificate of Compliance must be transmitted to OAL by 10–23–98 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 6–24–98 order, including repealer and new subsection (a) and repealer of subsection (c), transmitted to OAL 10–16–98 and filed 12–2–98 (Register 98, No. 49).

§ 16–3340.50.5. Suspension or Rescission of Fleet Facility License.

(a) A fleet facility licensee shall immediately cease to test, repair, or certify vehicles whenever the facility fails to meet any of the requirements of Section 3340.50. The fleet licensee shall not resume fleet emission testing, repairing, or certification until authorized by the bureau or if suspended, until the suspension expires. The fleet facility may not resume fleet emission testing, repairing or certification until authorized by the bureau.

(b) A fleet facility license may be suspended or rescinded in accordance with Section 44020 of Chapter 5, Part 5, Division 26 of the California Health and Safety Code for any of the following acts if done by the licensee or by any licensed technician, partner, officer, or member of the licensed fleet facility.

(1) Inspecting or testing vehicles while in violation of subsection (a) of this section.

(2) Violation of any provision of this article.

(3) Violation of any provision of Chapter 5, Part 5, Division 26, of the California Health and Safety Code.

NOTE: Authority cited: Section 44020, Health and Safety Code. Reference: Sections 44020 and 44045.5, Health and Safety Code.

HISTORY

1. Amendment of subsection (b) and NOTE filed 6–23–95 as an emergency; operative 6–23–95 (Register 95, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–21–95 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 6–23–95 order transmitted to OAL 10–20–95 and filed 12–6–95 (Register 95, No. 49).

§ 16–3356.1. Toxic Waste Disposal Costs.

An automotive repair dealer may charge a customer for costs associated with the handling, management and disposal of toxic wastes or hazardous substances under California or federal law which directly relate to the servicing or repair of the customer's vehicle. Such charge must be disclosed to the customer by being separately itemized on the estimate prepared pursuant to Section 9884.9(a) of the Business and Professions Code and on the invoice prepared pursuant to Section 9884.8 of the Business and Professions Code. In order to assess this charge, the automotive repair dealer must note on the estimate and invoice the station's Environmental Protection Agency identification number required by Section 262.12 of Title 40 of the Code of Federal Regulations.

NOTE: Authority cited: Section 9882, Business and Professions Code. Reference: Sections 9882, 9884.8, and 9884.9(a), Business and Professions Code.

HISTORY

1. New section filed 8–20–91; operative 9–19–91 (Register 92, No. 1).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 17. Department of Health Services

(Title 17)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 17. Department of Health Services

TABLE OF CONTENTS

Page

Division 17. Department of Health Services 121

§ 17-7925. Sale of Rat Exterminators.
§ 17-12255. Use of Poisonous Insecticides and Rodenticides.
§ 17-30055. Examination Requirements.
§ 17-30056. Examination Content.
§ 17-30056.1. Interpretation of Dates.
§ 17-30056.2. Applications.
§ 17-30056.3. Admission to Examination.
§ 17-30056.4. Notification of Examination Results.
§ 17-30056.5. Processing Times.
§ 17-30058. Denial, Suspension, or Revocation.
§ 17-30061. Continuing Education Requirements.
§ 17-30100. General Definitions.
§ 17-30104. Exemptions.
§ 17-30108. Registration Requirement.
§ 17-30110. Initial Registration.
§ 17-30111. Renewal of Registration.
§ 17-30115. Report of Change.
§ 17-30118. Vendor Obligation.
§ 17-30125. Excluded Material and Devices.
§ 17-30126. Exempt Possessors.
§ 17-30131. Records to be Maintained.
§ 17-30145. Registration Fees.
§ 17-30146. Payment of Fee.
§ 17-30170. Authority.
§ 17-30172. License Requirement.
§ 17-30173. Communications.
§ 17-30175. General Definitions.
§ 17-30180. Exempt Persons, Products, Concentrations and Quantities.
§ 17-30190. Types of Licenses.
§ 17-30191. General Licenses-Source Material.
§ 17-30192. General Licenses—Static Elimination or Ion Generation Devices.
§ 17-30193. Application for Specific Licenses and Amendments.
§ 17-30194. Approval of Applications and Specific Terms and Conditions for Licenses.
§ 17-30195. Special Requirements for Issuance of Specific Licenses.
§ 17-30196. Issuance of Specific Licenses.
§ 17-30198. Expiration of Licenses.
§ 17-30205. Modification, Suspension, Revocation and Termination of Licenses.
§ 17-30210. Authorization for Transfer.
§ 17-30220. Violations.
§ 17-30225. Persons Licensed by Other Agencies.
§ 17-30230. License Fees.
§ 17-30231. Fee Schedule.
§ 17-30232. Fee Limitations.
§ 17-30235. Schedule A. Exempt Quantities.
§ 17-30237. Schedule C.
§ 17-30250. Authority.
§ 17-30251. Purpose.
§ 17-30252. Scope and Purpose.
§ 17-30253. Standards for Protection Against Radiation.
§ 17-30254. Inspection.
§ 17-30255. Notices, Instructions, and Reports to Personnel.
§ 17-30256. Vacating Installations: Records and Notice.
§ 17-30257. Bankruptcy Notification.
§ 17-30258. General Definitions.
§ 17-30265. Occupational Dose Limits.
§ 17-30266. Exposure of Individuals to Concentrations of Radioactive Material in Controlled Areas.
§ 17-30268. Permissible Levels of Radiation in Uncontrolled Areas.
§ 17-30269. Concentrations in Effluents to Uncontrolled Areas.
§ 17-30275. Surveys and Tests.
§ 17-30276. Personnel Monitoring.
§ 17-30277. Bio-Assays and Medical Review.
§ 17-30278. Caution Signs and Labels.
§ 17-30278.1. Removal of Caution Labels from Empty Containers.
§ 17-30279. Special Requirements for High Radiation Areas and Radiation Machines Capable of Producing High Radiation Areas.
§ 17-30280. Notices, Instructions, and Reports to Personnel.
§ 17-30281. Storage and Control of Radioactive Material.
§ 17-30282. Procedures for Opening Packages.
§ 17-30285. General Requirement.
§ 17-30287. Disposal by Release into Sanitary Sewerage Systems.
§ 17-30289. Treatment or Disposal by Incineration.
§ 17-30293. Records.
§ 17-30294. Reports of Theft or Loss of Sources of Radiation.
§ 17-30295. Notification of Incidents.
§ 17-30297. Reports of Overexposures and Excessive Levels and Concentrations.
§ 17-30298. Vacating Installations.
§ 17-30299. Bankruptcy Notification.
§ 17-30305. General Provisions.
§ 17-30306. Definitions.
§ 17-30307. Fluoroscopic Installations
§ 17-30308. Radiographic Installations (Other Than Dental and Veterinary Medicine).
§ 17-30309. Special Requirements for Mobile Radiographic Equipment.
§ 17-30310. Special Requirements for Chest Photofluorographic Installations.
§ 17-30311. Dental Radiographic Installations.
§ 17-30312. Therapeutic X-Ray Installations.
§ 17-30313. Special Requirements for X-Ray Therapy Equipment Operated at Potentials of 50 kV and Below.
§ 17-30314. Veterinary Medicine Radiographic Installations.
§ 17-30321. Accountability, Storage, and Transit.
§ 17-30322. Records and Reports of Misadministration.
§ 17-30330. General Provisions.
§ 17-30331. Definitions Specific to Radiography.
§ 17-30332. Performance Requirements for Radiographic Exposure Devices, Storage Containers, and Source Changers.
§ 17-30333. Training and Supervision for Radiographers and Radiographers' Assistants.

§ 17–30334. Precautionary Procedures in Radiographic Operations.
§ 17–30336. Radiography Employing Radiation Machines.
§ 17–30337. Contraband–Detection Fluoroscopy.
§ 17–30345.1. Scope.
§ 17–30345.2. Definitions.
§ 17–30345.3. Specific License for Well Logging.
§ 17–30346. Agreement with Well Owner or Operator.
§ 17–30346.1. Labels, Security and Transportation.
§ 17–30346.2. Radiation Detection Instruments.
§ 17–30346.3. Leak Testing of Sealed Sources.
§ 17–30346.4. Physical Inventory.
§ 17–30346.5. Records of Material Use.
§ 17–30346.6. Design and Performance Criteria for Sealed Sources.
§ 17–30346.7. Inspection, Maintenance and Opening of a Source Holder.
§ 17–30346.8. Subsurface Tracer Studies.
§ 17–30346.9. Radioactive Markers.
§ 17–30346.10. Uranium Sinker Bars.
§ 17–30348.1. Training Requirements.
§ 17–30348.2. Operating and Emergency Procedures.
§ 17–30348.3. Personnel Monitoring.
§ 17–30348.4. Radiation Surveys.
§ 17–30348.5. Radioactive Contamination Control.
§ 17–30350. Security.
§ 17–30350.1. Documents and Records Required at Field Stations.
§ 17–30350.2. Documents and Records Required at Temporary Jobsites.
§ 17–30350.3. Notification of Incidents and Lost Sources; Abandonment Procedures for Irretrievable Sources.
§ 17–30353. Particle Accelerators for Well Logging.
§ 17–30355. Appendix A. Concentrations in Air and Water Above Natural Background.
§ 17–30356. Appendix B.
§ 17–30358. Form RH 2365—Current Occupational External Radiation Exposure.
§ 17–30373. Transportation Regulations.
§ 17–30400. Fluoroscopy.
§ 17–30400.40. Fluoroscopy.
§ 17–30400.85. Radiography.
§ 17–30401. Radiography.
§ 17–30402. Special Permits.
§ 17–30403. Requirements for Continuing Education and Performance of Mammographic Examinations.
§ 17–30404. Display.
§ 17–30405. Deadlines.
§ 17–30408. Fees.
§ 17–30428. Approval of On–the–Job Training.
§ 17–30440. Issuance of Certificates.
§ 17–30441. Acceptable Applications.
§ 17–30442. Categories.
§ 17–30443. Scopes.
§ 17–30444. Issuance of Limited Permits.
§ 17–30445. Acceptable Applications.
§ 17–30447. Restrictions.
§ 17–30450. Permit Requirement.
§ 17–30451. Issuance of Technologist Fluoroscopy Permits.
§ 17–30452. Acceptable Applications.
§ 17–30455.1. Issuance of a Mammographic Radiologic Technology Certificate.
§ 17–30460. Licentiate Certificate.
§ 17–30461. Licentiate Permits.
§ 17–30462. Radiology Certificate.
§ 17–30463. Fluoroscopy Permits.
§ 17–30464. Radiography Permits.
§ 17–30465. Dermatology Permits.
§ 17–30466. Issuance of Licentiate Certificates or Permits.
§ 17–30467. Certification of Qualified Licentiates.
§ 17–30468. Acceptable Applications.
§ 17–30470. Low–Level Radioactive Waste Disposal.
§ 17–30471. Transfer for Disposal, Manifests and Record Keeping.
§ 17–30473. Definitions.
§ 17–30475. Proprietary Documents.
§ 17–30477. Application for Selection as License Designee.
§ 17–30479. Standards for Selecting the License Designee.
§ 17–30481. Acceptance by License Designee.
§ 17–30483. Standards for Forfeiture of the Performance Bond.
§ 17–30485. License Fee.
§ 17–30487. Additional Licensee Requirements and Financial Assurances.
§ 17–30489. Funding for Disposal Site Closure and Stabilization.
§ 17–30491. Liability Insurance.
§ 17–30493. Establishment and Approval of Rates.
§ 17–30495. Calculation of the Rate Schedule.
§ 17–30497. Rate Review Documentation.
§ 17–30499. Adjustment of Rate Schedule.

Division 17. Department of Health Services
(Title 17)

§ 17–7925. Sale of Rat Exterminators.

The sale or exposure for sale of alleged rodent exterminators, the manufacture of which is based upon the use of cultures of bacteria which may contaminate human food supplies, is hereby prohibited.

§ 17–12255. Use of Poisonous Insecticides and Rodenticides.

(a) Every practical precaution shall be taken to keep establishments free from flies, rats, mice and other vermin. If necessary, rodent–proof rooms shall be provided for materials which might become contaminated by these pests.

(b) The use of insecticides, or rodenticides, toxic to humans, in areas where any food products, not adequately protected, is being stored or handled is prohibited.

(c) Poisonous insecticides and rodenticides may be used under buildings, wharves, outbuildings, or similar places, or where adequately protected packaged products are stored; only, if adequate precautions are taken to eliminate the possibility of said poisons being accidentally spilled, or carried, by any means, to areas where these poisons are prohibited. These poisons are to be adequately protected from possible contact by children, or domestic animals, and are to be plainly and distinctly labeled for identification by adults.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Section 28282(a), Health and Safety Code.

HISTORY

1. Editorial correction of section heading and new NOTE filed 7–3–84 (Register 84, No. 27).

§ 17–30055. Examination Requirements.

Any person employed by a vector control agency as a Certified Technician or Certified Technician (Limited) shall pass, with a score of 70 percent or higher, the Public Health Pest Control Certified Technician Examination administered by the Department.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 402(d), 403, 2202 and 2805, Health and Safety Code.

HISTORY

1. Repealer of article 2 (sections 30060–30061) and new article 2 (sections 30055–30059) filed 12–19–78; effective thirtieth day thereafter (Register 78, No. 51). For history of prior Article, see Register 74, No. 5.
2. Repealer and new section filed 9–25–89 as an emergency; operative 9–25–89 (Register 89, No. 39). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed by operation of law on 1–23–90.
3. Editorial correction of printing error of NOTE (Register 89, No. 49).
4. Certificate of Compliance for 9–25–89 order transmitted to OAL 1–22–90 and disapproved by OAL on 2–21–90 (Register 90, No. 52).
5. Repealer and new section filed 11–16–90; operative 11–16–90 pursuant to Government Code section 11346.2(d) (Register 90, No. 52).

§ 17–30056. Examination Content.

(a) The written examination for certification of vector control agency personnel shall consist of questions covering the following areas:

(1) Label and labeling comprehension—factors including:

(A) The general format and terminology of pesticide labels and labeling;

(B) The understanding of instructions, warnings, terms, symbols, and other information commonly appearing on pesticide labels;

(C) Classification of the product, general or restricted; and

(D) Necessity for use consistent with the label.

(2) Safety—factors including:

(A) Pesticide toxicity and hazard to man;

(B) Common exposure routes;

(C) Common types and causes of pesticide accidents;

(D) Precautions necessary to guard against injury to applicators and other individuals in or near treated areas, including medical supervision;

(E) Need for and use of protection clothing and equipment;

(F) Symptoms of pesticide poisoning;

(G) First aid and other procedures to be followed in case of a pesticide accident; and

(H) Safe and proper procedures for identification, storage, transport, handling, mixing of pesticides and disposal of pesticides and used pesticide containers, including precautions to prevent access by children.

(3) Environment—The potential environmental consequences of the use and misuse of pesticides as may be influenced by such factors as climate and weather, non–target organisms, and drainage patterns.

(4) Vectors—factors such as:

(A) A knowledge of relevant vectors and their distribution;

(B) Recognition of relevant vectors by distinguishing features of the vector organisms and/or characteristics of damage or other signs;

(C) Vector development and biology (life cycles) relevant to identification and control;

(D) Public health importance of relevant vectors, including a practical knowledge of vector–borne disease transmission, as it relates to and influences control programs; and

(E) Habitats where relevant vectors occur, including a practical knowledge of those environments.

(5) Pesticides—factors such as:

(A) Types of pesticides;

(B) Types of formulations;

(C) Characteristics of pesticides and formulations, including compatibility, synergism, persistence, and animal and plant toxicity;

(D) Hazards and residues associated with use, including applicable laws and regulations;

(E) Factors which influence effectiveness or lead to such problems as resistance to pesticides; and

(F) Dilution procedures.

(6) Pesticide application equipment and techniques—factors including:

(A) Types of equipment and their uses, advantages, and limitations;

(B) Maintenance of equipment;

(C) Calibration of equipment;

(D) Operating procedures and techniques used to apply various formulations of pesticides;

(E) A knowledge of the most effective equipment and technique of application to use in a given situation;

(F) Relationship of discharge and placement of pesticides to proper use, unnecessary use, and misuse; and

(G) Prevention of drift and pesticide loss into the environment.

(7) Non–chemical control methods—A practical knowledge of the importance and use of such methods as sanitation, waste management, drainage, exclusion, trapping, public education, and legal abatement.

(8) Record Keeping—A familiarity with the principles and practices of biological and operational documentation.

(9) Supervisory Requirements—A practical knowledge of State and Federal supervisory requirements, including labeling, regarding the application of restricted materials by a technician's aide.

(10) Laws and Regulations—A basic knowledge of applicable State and Federal laws and regulations.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 1800–1813 and 2200–2910, Health and Safety Code.

§ 17–30056.1. Interpretation of Dates.

For purposes of this Article:

(a) Submission of an application shall be deemed to occur on the date the application form is received by the Department.

(b) Filing of a completed application shall be deemed to occur when all information required to be submitted on an application form has been received by the Department.

(c) Written notifications by the Department to applicants shall be deemed to occur on the date the notifications are postmarked.

NOTE: Authority cited: Sections 208 and 402, Health and Safety Code; and Sections 15376 and 15378, Government Code. Reference: Sections 15376 and 15378, Government Code.

HISTORY

1. New section filed 4–11–85; effective thirtieth day thereafter (Register 85, No. 15).

§ 17–30056.2. Applications.

(a) To apply for admission to the Public Health Pest Control Certified Technician Examination, the applicant shall complete an Application for Admission to the Public Health Pest Control Certified Technician Examination, FORM EH 173 (2/88). The application form shall include the applicant's name and job title, the employing agency's name and address, and the signatures of the applicant and the agency administrator. The form shall be completed, signed, and submitted in accordance with directions printed on or provided with the form.

(b) Within 14 calendar days after submission of an application for admission to the examination, the Department shall notify the applicant in writing, through the vector control agency where the applicant is employed, that the application is complete and accepted for filing, or that the application is deficient, and what specific information is required to complete the application. Notification of acceptance shall be in the form of a copy of the application form, marked "approved," which shall be returned to the applicant. If deficient, the entire application shall be returned to the applicant.

NOTE: Authority cited: Sections 208 and 402, Health and Safety Code. Reference: Section 402, Health and Safety Code.

HISTORY

1. New section filed 4–11–85; effective thirtieth day thereafter (Register 85, No. 15).
2. Amendment filed 9–25–89 as an emergency; operative 9–25–89 (Register 89, No. 39). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed by operation of law on 1–23–90.
3. Certificate of Compliance for 9–25–89 order transmitted to OAL 1–22–90 and disapproved by OAL on 2–21–90 (Register 90, No. 52).
4. Amendment filed 11–16–90; operative 11–16–90 pursuant to Government Code section 11346.2(d) (Register 90, No. 52).

§ 17–30056.3. Admission to Examination.

Admission to an examination shall be permitted upon presentation by the applicant of an approved copy of the application form, as provided pursuant to Section 30056.2(b).

NOTE: Authority cited: Sections 208 and 402, Health and Safety Code. Reference: Section 402, Health and Safety Code.

HISTORY

1. New section filed 4–11–85; effective thirtieth day thereafter (Register 85, No. 15).

§ 17–30056.4. Notification of Examination Results.

The Department shall notify the applicant in writing, through the vector control agency where the applicant is employed, of the examination result and decision on the certification, within 118 calendar days after the filing of a completed application.

NOTE: Authority cited: Sections 208 and 402, Health and Safety Code; and Section 15376, Government Code. Reference: Section 15376, Government Code.

HISTORY

1. New section filed 4–11–85; effective thirtieth day thereafter (Register 85, No. 15).

§ 17–30056.5. Processing Times.

The Department's minimum, maximum, and median time periods for processing a certificate, from the receipt of the initial applications to notification of the final certification decision regarding results of the examination for certification, based on the Department's actual performance during the two years immediately preceding the proposal of this regulation, were as follows:

(a) The median time was 54 calendar days.

(b) The minimum time was 50 calendar days.

(c) The maximum time was 118 calendar days.

NOTE: Authority cited: Sections 208 and 402, Health and Safety Code; and Section 15376, Government Code. Reference: Section 15376, Government Code.

HISTORY

1. New section filed 4–11–85; effective thirtieth day thereafter (Register 85, No. 15).

§ 17–30058. Denial, Suspension, or Revocation.

(a) The Director may deny, suspend, or revoke any certificate for any of the following reasons:

(1) Failure to adequately supervise the use of a restricted material.

(2) Failure to obtain a restricted material permit when required.

(3) Failure to comply with any applicable provision of Divisions 6 or 7 of the Food and Agricultural Code or regulations adopted pursuant to such provisions.

(4) Failure to record each restricted material use and submit such record as required by law or regulations.

(5) Making any false or fraudulent record.

(6) Operating in a faulty, careless, or negligent manner.

(7) Failure to qualify by examination.

(b) Any action to deny, suspend or revoke such certificate shall be heard under the Administrative Procedure Act, Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code; provided, however, if the Director finds that the protection of the public welfare or safety requires immediate action, he or she may, without hearing, temporarily suspend or condition the certificate and shall forthwith schedule the matter for hearing. The Director may terminate such temporary suspension or condition upon corrective action as he or she deems satisfactory to assure compliance with the requirements of the law and the regulations.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 1800–1813 and 2200–2910, Health and Safety Code.

§ 17–30061. Continuing Education Requirements.

(a) Except as provided in (d), any employee of a vector control agency who independently handles, applies, or supervises the application of any pesticide as part of his or her official duties shall obtain the following continuing education units (CEU) within each two year period following initial date of certification:

(1) Minimum Prerequisite CEU for all specialty certificates:

(A) Pesticide use and safety—ten CEU.

(B) Animal biology and ecology—two CEU.

(C) In–service training—four CEU.

(2) Additional minimum CEU for each specialty certificate:

(A) Mosquito Control—six CEU on mosquitoes and two CEU on other aquatic invertebrates and their control.

(B) Terrestrial Invertebrate Control—six CEU on domestic flies, fleas, and ticks; two CEU on other terrestrialinvertebrate vectors, and their control.

(C) Vertebrate Control—eight CEU on rodents and on other vertebrate vectors, and their control.

(b) Failure to attain minimum CEU in any specialty area shall result in the down–grading of certification in the specialty in which the Certified Technician is delinquent, to the Certified Technician (Limited) status.

(c) Reinstatement to Certified Technician status shall be subject to the approval of the Department upon proofof minimum CEU and proof of payment of all current fees.

(d) The foregoing continuing education requirements are not applicable to the following:

(1) Employees who use insignificant amounts of compounds commonly used for pest detection during inspections.

(2) Persons who do not handle, apply, or supervise the application of any pesticides for public health purposes.

(3) Employees involved only in research and development of public health pesticides.

NOTE: Authority cited: Sections 208, 2202 and 2805, Health and Safety Code. Reference: Sections 402(d), 403, 2202 and 2805, Health and Safety Code.

HISTORY

1. Repealer of section, and new Article 3 (section 30061) filed 12-19-78; effective thirtieth day thereafter (Register 78, No. 51). For history of former section, see Register 74, No. 5.
2. Amendment filed 2-5-85; effective thirtieth day thereafter (Register 85, No. 6).
3. Repealer and new section filed 9-25-89 as an emergency; operative 9-25-89 (Register 89, No. 39). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed by operation of law on 1-23-90.
4. Certificate of Compliance for 9-25-89 order transmitted to OAL 1-22-90 and disapproved by OAL on 2-21-90 (Register 90, No. 52).
5. Repealer and new section filed 11-16-90; operative 11-16-90 pursuant to Government Code section 11346.2(d) (Register 90, No. 52).

§ 17-30100. General Definitions.

As used in subchapter 4:

(a) "Act" means the "Radiation Control Law," Health and Safety Code, Division 104, Part 9, chapter 8, sections 114960 et seq.

(b) "Agreement State" means any state with which the United States Atomic Energy Commission or Nuclear Regulatory Commission has entered into an effective agreement under section 274b of the Atomic Energy Act of 1954, Title 42, United States Code, section 2021(b) (formerly section 274(b)).

(c) "Decommission" means to remove safely from service and reduce residual radioactivity to a level that permits release of the property for unrestricted use and termination of the license.

(d) "Department" means the State Department of Health Services.

(e) "Depleted uranium" means the source material uranium in which the isotope uranium-235 is less than 0.711 weight percent of the total uranium present. Depleted uranium does not include special nuclear material.

(f) "Hazardous radioactive material", as used in section 33000 of the California Vehicle Code and 114820(e) of the Health and Safety Code means any "highway route controlled quantity" of radioactive material as such material is defined in The United States Code of Federal Regulations (CFR), 49 CFR 173.403(*l*) as printed in FR 13431, March 31, 1983.

(g) "Human use" means the internal or external administration of radiation or radioactive materials to human beings.

(h) "Installation" means the location where one or more reportable sources of radiation are possessed.

(i) "License," except where otherwise specified, means a license issued pursuant to group 2, Licensing of Radioactive Material.

(j) "Misadministration" means the administration of:

(1) A radiopharmaceutical or radiation from a sealed source other than the one intended;

(2) A radiopharmaceutical or radiation to the wrong patient;

(3) A radiopharmaceutical or radiation by a route of administration other than that intended by the prescribing physician;

(4) A diagnostic dosage of a radiopharmaceutical differing from the prescribed dosage by more than 50 percent;

(5) A therapeutic dosage of a radiopharmaceutical differing from the prescribed dosage by more than 10 percent; or

(6) A therapeutic radiation dose from a sealed source such that errors in the source calibration, time of exposure, and treatment geometry result in a calculated total treatment dose differing from the final prescribed total treatment dose by more than 10 percent.

(k) "Other official agency specifically designated by the Department" means an agency with which the Department has entered into an agreement pursuant to section 114990 of the Health and Safety Code.

(*l*) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this State, any other state or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing, other than the United States Nuclear Regulatory Commission, the United States Department of Energy, or any successor thereto, and other than Federal Government agencies licensed by the United States Nuclear Regulatory Commission, under prime contract to the United States Department of Energy, or any successor thereto.

(m) "Personnel monitoring equipment" means devices designed to be worn or carried by an individual for the purpose of measuring the dose received by that individual (e.g., film badges, pocket chambers, pocket dosimeters, film rings, etc.).

(n) "Possess" means to receive, possess, use, transfer or dispose of radioactive material pursuant to this regulation.

(o) "Possessing a reportable source of radiation" means having physical possession of, or otherwise having control of, a reportable source of radiation in the State of California.

(p) "Radiation" (ionizing radiation) means gamma rays and X-rays; alpha and beta particles, high-speed electrons, neutrons, protons, and other nuclear particles; but not sound or radio waves, or visible, infrared, or ultraviolet light.

(q) "Radiation machine" means any device capable of producing radiation when the associated control devices are operated, but excluding devices which produce radiation only by the use of radioactive material.

(r) "Radioactive material" means any material which emits radiation spontaneously.

(s) "Registrant" means any person who is registering or who has registered with the Department pursuant to group 1.5, Registration of Sources of Radiation.

(t) "Reportable sources of radiation" means either of the following:

(1) Radiation machines, when installed in such manner as to be capable of producing radiation.

(2) Radioactive material contained in devices designed and manufactured for the purpose of detecting, measuring, gauging, controlling thickness, density, level, interface location, radiation, leakage or qualitative or quantitative chemical composition, for producing light or an ionized atmosphere, possessed pursuant to a general license under provisions of section 30192.1 of group 2 of this subchapter (Licensing of Radioactive Materials).

(u) "Research and development" means theoretical analysis, exploration, experimentation or the extension of investigative findings and scientific or technical theories into practical application for experimental or demonstration purposes, including the experimental production and testing of models, prototype devices, materials and processes; but shall not include human use.

(v) "Sealed source" means any radioactive material that is permanently encapsulated in such manner that the radioactive material will not be released under the most severe conditions likely to be encountered by the source.

(w) "Source of radiation" means a discrete or separate quantity of radioactive material or a single radiation machine.

(x) "Special nuclear material" means:

(1) Plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Department declares by rule to be special nuclear material after the United States Nuclear Regulatory Commission, or any successor thereto, has determined the material to be such, but does not include source material; or

(2) Any material artificially enriched by any of the foregoing, but does not include source material.

(y) "Specific license" means a license or the equivalent document issued to a named person by the Department or by the Nuclear Regulatory Commission or by any other Agreement State.

(z) "This regulation" means: California Code of Regulations, Title 17, Chapter 5, Subchapter 4.

(aa) "User" means any person who is licensed to possess radioactive material or who has registered as possessing a reportable source of radiation pursuant to groups 1.5 and 2 of this subchapter, or who otherwise possesses a source of radiation which is subject to such licensure or registration.

(ab) "Worker" means any individual engaged in activities subject to title 17, California Code of Regulations, chapter 5, subchapter 4, and controlled by a user, but does not include the user.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 114985 and 115060, Health and Safety Code.

HISTORY

1. Repealer of group 1 and new group 1 (sections 30100 through 30146) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For prior histories, see Registers 62, No. 1 and 62, No. 8.
2. Repealer and new section filed 11–25–85; effective thirtieth day thereafter (Register 85, No. 48).
3. Change without regulatory effect of subsection (ac)(2) (Register 88, No. 6).
4. Amendment of subsection (j), relettering of former subsections (p)–(ap) to subsections (q)–(aq), and new subsection (p) filed 9–5–89; operative 10–5–89 (Register 89, No. 36).
5. New subsection (k) and redesignation of former sections (k) through (aq) to subsections (l) through (ar) filed 4–19–91; operative 5–19–91 (Register 91, No. 20).
6. Editorial correction of printing error in subsections (q)–(ar) (Register 91, No. 30).
7. Change without regulatory effect amending subsection (an) filed 11–1–91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
8. Amendment of section and NOTE filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
9. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).
10. Amendment of subsection (a), new subsection (c) and subsection relettering filed 10–16–95 as an emergency; operative 10–16–95 (Register 95, No. 42). A Certificate of Compliance must be transmitted to OAL by 2–13–96 or emergency language will be repealed by operation of law on the following day.
11. Certificate of Compliance as to 10–16–95 order, including amendment of subsections (a), (f) and (k) and of NOTE, transmitted to OAL 2–9–96 and filed 3–25–96 (Register 96, No. 13).
12. Amendment of subsection (q) and NOTE filed 6–22–2005 as an emergency; operative 6–22–2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–20–2005 or emergency language will be repealed by operation of law on the following day.
13. Certificate of Compliance as to 6–22–2005 order transmitted to OAL 9–20–2005 and filed 10–18–2005 (Register 2005, No. 42).
14. Amendment of subsection (a) filed 7–20–2006; operative 8–19–2006 (Register 2006, No. 29).

§ 17–30104. Exemptions.

(a) The Department may, upon application by any user, or upon its own initiative, grant such exemptions from the requirements of this regulation as it determines are authorized by law and will not result in undue hazard to health, life or property. Applications for exemptions shall specify why such exemption is necessary.

(b) Before granting an exemption, the Department shall determine that there is reasonable and adequate assurance that:

(1) the doses to any individual in any controlled area will not exceed those specified in Section 30265;

(2) the dose to the whole body of any individual in an uncontrolled area will not exceed 0.5 rem in a year;

(3) The deposition of radioactive material in the body of any individual will not likely result in a greater risk to the individual than would be expected from the dose specified in Section 30104 (b)(1) or (2), as appropriate, based on guidance from such bodies as the International Commission on Radiological Protection, and the National Council on Radiation Protection and Measurements; and

(4) there is no significant hazard to life or property.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25815 and 25876, Health and Safety Code.

HISTORY

1. Renumbering and amendment of former section 30345 to article 2 (section 30104) filed 11–25–85; effective thirtieth day thereafter (Register 85, No. 48).
2. Change without regulatory effect of subsection (b)(3) (Register 87, No. 4).
3. Change without regulatory effect amending subsections (b) and (b)(3) filed 11–1–91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).

§ 17–30108. Registration Requirement.

Every person possessing a reportable source of radiation shall register with the Department in accordance with the provisions of Sections 30110 through 30146.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Section 25815, Health and Safety Code.

HISTORY

1. Renumbering and amendment of former Section 30102 to Section 30108 and designation of new Group 1.5 (Sections 30108–30146, not consecutive) filed 11–25–85; effective thirtieth day thereafter (Register 85, No. 48).

§ 17–30110. Initial Registration.

(a) Every person not already registered who acquires a reportable source of radiation shall register with and pay the fee as specified in Section 30145 to the Department within 30 days of the date of acquisition.

(b) Every person who intends to acquire a radiation machine capable of operating at a potential in excess of 500 kVp shall notify the Department at least 60 days prior to his/her possession of the machine or at least 60 days prior to the commencement of construction or reconstruction of the room which will house the machine, whichever occurs first. This equipment shall not be used to treat patients until written approval of provisions for radiation safety has been obtained by the user from the Department.

(c) Every person who registers or renews a registration shall complete a separate registration form furnished by the Department for each separate installation.

NOTE: Authority cited: Sections 208 and 25811(c), Health and Safety Code. Reference: Section 25815(b), Health and Safety Code.

HISTORY

1. Amendment filed 6–24–80; effective thirtieth day thereafter (Register 80, No. 26).
2. Amendment filed 11–25–85; effective thirtieth day thereafter (Register 85, No. 48).
3. Amendment of subsection (a) filed 11–1–93 as an emergency; operative 11–1–93 (Register 93, No. 45). A Certificate of Compliance must be transmitted to OAL by 3–1–94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 11–1–93 order transmitted to OAL 2–24–94; disapproved by OAL 4–7–94 (Register 94, No. 27).
5. Amendment of subsection (a) refiled 7–6–94 as an emergency; operative 7–6–94 (Register 94, No. 27). A Certificate of Compliance must be transmitted to OAL by 11–3–94 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 7–6–94 order transmitted to OAL 6–30–94 and filed 7–20–94 (Register 94, No. 29).

§ 17–30111. Renewal of Registration.

Every person already registered pursuant to 30110 shall renew such registration annually and pay the fee as specified in Section 30145 to the Department on or before the registration renewal date.

NOTE: Authority cited: Sections 100275 and 115000(c), Health and Safety Code. Reference: Section 115060(b), Health and Safety Code.

HISTORY

1. Amendment filed 11–25–85; effective thirtieth day thereafter (Register 85, No. 48).
2. Repealer and new section and amendment of NOTE filed 1–20–99; operative 2–19–99 (Register 99, No. 4).

§ 17–30115. Report of Change.

The registrant shall report in writing to the Department, within 30 days, any change in: registrant's name, address, location of the installation or receipt, sale, transfer, disposal or discontinuance of use of any reportable source of radiation.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Section 25815, Health and Safety Code.

HISTORY

1. Amendment filed 6–24–80; effective thirtieth day thereafter (Register 80, No. 26).
2. Amendment filed 11–25–85; effective thirtieth day thereafter (Register 85, No. 48).

§ 17–30118. Vendor Obligation.

(a) Any manufacturer, distributor, retailer, agent, or any other person who sells, leases, transfers or lends a radiation machine to any person who may be required to register such machine shall notify the Department on a form approved by the Department no later than 30 days after the end of each calendar quarter of:

(1) The names and addresses of persons who have received such machines.

(2) The manufacturer and model of each such machine.

(3) The date of transfer of each radiation machine.

(4) Other related information as may be required by the Department.

(b) The vendor shall inform the receiver of each machine of the registration requirements of Section 30108 of these regulations.

NOTE: Authority cited: Sections 208 and 25811(c), Health and Safety Code. Reference: Section 25815(b), Health and Safety Code.

HISTORY

1. New section filed 9–4–73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11–30–73.
2. Certificate of Compliance filed 12–28–73 (Register 73, No. 52).
3. Editorial correction of NOTE filed 7–12–84 (Register 84, No. 28).
4. Change without regulatory effect of subsection (b) (Register 88, No. 6).

§ 17–30125. Excluded Material and Devices.

The following devices and materials do not require registration:

(a) Electrical equipment that produces radiation incidental to its operation for other purposes, but which does not produce radiation in any area accessible to individuals such that there is a reasonable likelihood that any individual will receive a radiation dose to the whole body, head and trunk, gonads, or lens of the eye or active blood–forming organs in excess of 0.5 rem in a year.

(b) All radioactive materials except as specified in Section 30192.1.

NOTE: Authority Cited: Sections 208 and 25811(c), Health and Safety Code. Reference: Section 25815(c), Health and Safety Code.

HISTORY

1. New NOTE filed 7–12–84 (Register 84, No. 28).
2. Editorial renumbering of former article 5 to article 2 (Register 85, No. 48).
3. Change without regulatory effect amending subsection (b) filed 11–1–91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).

§ 17–30126. Exempt Possessors.

Common and contract carriers are exempt from the requirement to register to the extent that they transport or store reportable sources of radiation in the regular course of their carriage for another or storage incident thereto.

NOTE: Authority cited: Sections 208 and 25811(c), Health and Safety Code. Reference: Section 25815(b), Health and Safety Code.

HISTORY

1. Amendment filed 11–25–85; effective thirtieth day thereafter (Register 85, No. 48).

§ 17–30131. Records to be Maintained.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Section 115060, Health and Safety Code.

HISTORY

1. Amendment filed 11–25–85; effective thirtieth day thereafter (Register 85, No. 48).
2. Repealer of section and amendment of NOTE filed 9–9–97; operative 10–9–97 (Register 97, No. 37).

§ 17–30145. Registration Fees.

(a) Each radiation machine that is a reportable source of radiation as defined in section 30100(t), is classified as one of the following:

(1) "High priority radiation machine," a radiation machine, which has high potential for exposing humans by means of heavy use, high radiation exposure, specialized use for radiosensitive areas of the human body, or misadjustment or malfunction of radiation safety features. A high priority radiation machine is further defined as one of the following machine types, or a machine that is used by any of the following categories of users:

(A) Orthopedist.

(B) Radiologist or roentgenogoloist.

(C) Chiropractor.

(D) Hospital.

(E) Medical clinic.

(F) Portable X–ray service (human use).

(G) Fluoroscope used on humans.

(H) Chest photofluorography (minifilm unit).

(I) Non–human use particle accelerator with maximum energy capable of equaling or exceeding 10 MeV.

(J) Non–human use radiation machine used in field radiography, as defined in Section 30336(c).

(2) "Medium priority radiation machine," a radiation machine not covered by subsections (a)(1), (a)(3) or (a)(4).

(3) "Dental priority radiation machine," a radiation machine used exclusively in dental radiography of human beings.

(4) "Special priority radiation machine," a radiation machine used for mammography.

(b) When a radiation machine is equipped with two or more tubes that can be used separately, each tube shall be considered as a single radiation machine.

(c) Except as provided in (d), initial registration shall be valid for a period of one year.

(d) The initial registration period for a reportable source of radiation being registered by a person who has a reportable source of radiation already registered with the Department shall be coterminous with the existing registration.

(e) Any fees collected for a radiation machine for any registration period shall be transferred to any replacement radiation machine for the remainder of the registration period.

(f) For initial registration or renewal of registration, the fees shall be $214.00 annually for each high priority radiation machine, $172.00 annually for each medium priority radiation machine, $79.00 annually for each dental priority radiation machine and, except as provided in section 30145.1, $475.00 annually for each special priority radiation machine. Where the initial registration period is less than one year pursuant to subsection (d), the initial registration fee shall be prorated, based on the priority classification and number of full months in the initial registration period in accordance with the following formula:

Initial Registration Fee = A x [B/ (12 Months)]

Where:

A = Annual fee as specified above, dollars per year

B = Number of full months remaining in coterminous period

(g) The total registration fee paid by a registrant for high priority, medium priority, special priority, and dental priority radiation machines, which are at the same installation, shall not exceed $6,000.00 per year.

(h) A late fee of 25% of the annual fee shall be charged for any registration fee which is 30 days past due.

(i) Fees required by this section shall be nonrefundable.

NOTE: Authority cited: Sections 100275, 115000, 115060, 115065, 115080 and 115085, Health and Safety Code. Reference: Sections 114980, 115080, 115085 and 115165, Health and Safety Code.

HISTORY

1. Amendment of subsection (a) filed 7–1–75; effective thirtieth day thereafter (Register 75, No. 27).
2. Amendment filed 4–30–76; effective thirtieth day thereafter (Register 76, No. 18).
3. Amendment filed 7–3–79 as an emergency; effective upon filing (Register 79, No. 27).
4. Certificate of Compliance transmitted to OAL 10–26–79 and filed 11–2–79 (Register 79, No. 44).
5. Amendment filed 11–25–85; effective thirtieth day thereafter (Register 85, No. 48).
6. Change without regulatory effect of subsections (a) and (a)(1)(k) (Register 88, No. 6).
7. Amendment of subsection (a) filed 4–19–91; operative 5–19–91 (Register 91, No. 20).
8. Amendment of subsection (a) and NOTE, and adoption of subsections (d)–(f) filed 11–1–93 as an emergency; operative 11–1–93 (Register 93, No. 45). A Certificate of Compliance must be transmitted to OAL by 3–1–94 or emergency language will be repealed by operation of law on the following day.
9. Certificate of Compliance as to 11–1–93 order transmitted to OAL 2–24–94; disapproved by OAL 4–7–94 (Register 94, No. 27).
10. Amendment of subsection (a) and NOTE and new subsections (d)–(f) refiled 7–6–94 as an emergency; operative 7–6–94 (Register 94, No. 27). A Certificate of Compliance must be transmitted to OAL by 11–3–94 or emergency language will be repealed by operation of law on the following day.
11. Certificate of Compliance as to 7–6–94 order transmitted to OAL 6–30–94 and filed 7–20–94 (Register 94, No. 29).
12. Amendment of section and NOTE filed 1–20–99; operative 2–19–99 (Register 99, No. 4).
13. Amendment of section heading, section and NOTE filed 6–22–2005 as an emergency; operative 6–22–2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–20–2005 or emergency language will be repealed by operation of law on the following day.

14. Certificate of Compliance as to 6–22–2005 order transmitted to OAL 9–20–2005 and filed 10–18–2005 (Register 2005, No. 42).

§ 17–30146. Payment of Fee.

Each registration or registration renewal which reports possession of a radiation machine, and each report of change reporting the receipt of an additional radiation machine, shall be accompanied by an amount to pay the fee for the period to the next regularly scheduled registration renewal date.

NOTE: Authority cited: Sections 208 and 25811(c), Health and Safety Code. Reference: Section 25817, Health and Safety Code.

HISTORY

1. Amendment filed 7–1–75; effective thirtieth day thereafter (Register 75, No. 27).
2. Amendment filed 4–30–76; effective thirtieth day thereafter (Register 76, No. 18).
3. New NOTE filed 7–12–84 (Register 84, No. 28).

§ 17–30170. Authority.

NOTE: Authority cited: Sections 102 and 208, Health and Safety Code. Reference: Sections 25780 and 25800 through 25870, Health and Safety Code.

HISTORY

1. Repealer of Article 1 (Sections 30170 through 30173) and new Article 1 (Sections 30170, 30172 and 30173) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Registers 62, No. 1 and 62, No. 8.
2. Repealer filed 7–8–87; operative 8–7–87 (Register 87, No. 29).

§ 17–30172. License Requirement.

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25805, 25815, 25855, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer filed 7–8–87; operative 8–7–87 (Register 87, No. 29).

§ 17–30173. Communications.

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25805, 25815, 25855, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendment filed 1–22–76; effective thirtieth day thereafter (Register 76, No. 4).
2. Repealer filed 7–8–87; operative 8–7–87 (Register 87, No. 29).

§ 17–30175. General Definitions.

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25805, 25815, 25855, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer and new section filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Registers 62, No. 1 and 62, No. 8.
2. Amendment filed 1–22–76; effective thirtieth day thereafter (Register 76, No. 4).
3. Repealer filed 7–8–87; operative 8–7–87 (Register 87, No. 29).

§ 17–30180. Exempt Persons, Products, Concentrations and Quantities.

(a) Any person is exempt from this regulation if such person:

(1) Is a common and contract carrier transporting radioactive material in the regular course of their carriage for another or storage incident thereto. Such carriers are subject to the provisions of Group 4, Transportation of Radioactive Material.

(2) Is licensed by the United States Nuclear Regulatory Commission under Title 10, Code of Federal Regulations, Part 150, Section 150.15, Continued Commission Regulatory Authority in Agreement States, or otherwise agreed upon by the Department and the Commission.

(3) Is under a prime contract with the United States Nuclear Regulatory Commission or the United States Department of Energy at a U.S. Government–owned or controlled site, including the transporting of radioactive material to or from such site, the performance of contract services during temporary interruptions of such transportation; for research in or development, manufacture, storage, testing or transportation of atomic weapons or components thereof; or for the use of nuclear devices in U.S. Government–owned vehicle or vessel; or under a subcontract when it is jointly determined by the Department and the United States Nuclear Regulatory Commission that an exemption is appropriate.

(b) The following products are exempt from this regulation:

(1) Timepieces, hands or dials therefor, containing any radioactive luminous material provided these have been distributed as exempt products in accordance with a United States Nuclear Regulatory Commission license: and any timepieces, hands or dials therefore containing radium activated luminous material.

(2) Automobile lock illuminators containing up to 15 millicuries of tritium or 2 millicuries of promethium 147 per lock.

(3) Compounds or mixtures with rare earth elements containing up to 0.25% by weight of source material.

(4) Glazed ceramic tableware containing up to 20% by weight of source material in the glaze.

(5) Glassware containing not more than 10 percent by weight source material; but not including commercially manufactured glass brick, pane glass, ceramic tile, or other glass or ceramic used in construction;

(6) Glass enamel or glass enamel frit containing not more than 10 percent by weight source material imported or ordered for importation into the United States, or initially distributed by manufacturers in the United States, before July 25, 1983.

(7) Photographic film, negatives, and prints containing source material.

(8) Incandescent gas mantles, vacuum tubes, electric lamps, and welding rods containing thorium.

(9) Any finished product or part fabricated of, or containing, tungsten–thorium or magnesium–thorium alloys; provided that the thorium content of the alloy does not exceed 4% by weight.

(10) Finished optical lenses containing up to 30% by weight of thorium, but not including spectacles, contact lenses, or eyepieces of optical instruments and subject to not altering the finished product by any process such as shaping, grinding, or polishing.

(11) Fire detector heads containing up to 0.005 microcuries of uranium per head.

(12) Electric lamps for illuminating purposes provided that each lamp does not contain more than 50 milligrams of thorium.

(13) Germicidal lamps, sun lamps and lamps for outdoor or industrial lighting provided that each lamp does not contain more than two grams of thorium.

(14) Personnel neutron dosimeters provided that each dosimeter does not contain more than 50 milligrams of thorium.

(15) Shipping containers utilizing natural or depleted uranium metal as shielding, if such container is and remains:

(A) Conspicuously impressed with the legend: "CAUTION—RADIOACTIVE SHIELDING—URANIUM" and;

(B) The uranium metal is encased in mild steel or equally fire resistant metal of minimum wall thickness of one eight inch (3.2 mm).

(16) Counterweights of uranium installed in, or store or handled in connection with installation in or removal from, aircraft, rockets, projectiles, or missiles, if each such counterweight has been manufactured pursuant to an appropriate specific license; and

(A) each counterweight manufactured prior to December 31, 1969 has been, and remains, impressed, labeled and marked in accordance with the provisions of that specific license at the time of manufacture;

(B) each counterweight manufactured on or after December 31, 1969 has been impressed with the following legend clearly legible through any plating or other covering: "DEPLETED URANIUM"; and is durably and legibly labeled or marked with the identification of the manufacturer, and the statement: "UNAUTHORIZED ALTERATIONS PROHIBITED."

(17) Precision balances or parts therefor, provided that no such balance contains more than 1.0 millicurie of tritium and no balance part contains more than 0.5 millicurie of tritium.

(18) Automobile shift quadrants containing not more than 25 millicuries of tritium.

(19) Marine compasses containing not more than 750 millicuries of tritium gas and other marine navigational instruments containing not more than 250 millicuries of tritium gas.

(20) Thermostat dials and pointers containing not more than 25 millicuries of tritium per thermostat.

(21) Thorium contained in any finished aircraft engine part containing nickel–thoria mixture, provided that:

(A) The thorium is dispersed in the nickel–thorium mixture in the form of finely divided thorium dioxide; and

(B) The thorium content of the mixture does not exceed 4% by weight.

(22) Electron tubes: Provided that each tube does not contain more than one of the following specified quantities of radioactive material:

(A) 150 millicuries of tritium per microwave receiver protector tube or 10 millicuries of tritium per any other electron tube;

(B) 1 microcurie of cobalt 60;

(C) 5 microcuries of nickel 63;

(D) 30 microcuries of krypton 85;

(E) 5 microcuries of cesium 137;

(F) 30 microcuries of promethium 147;

and provided further, that these have been manufactured and distributed pursuant to an appropriate specific license.

NOTE: Electron tubes include spark gap tubes, power tubes, gas tubes including glow lamps, receiving tubes, microwave tubes, indicator tubes, pick–up tubes, radiation detection tubes and any other completely sealed tube that is designed to conduct or control electrical currents.)

(23) Synthetic plastic resins containing scandium 46 and designed for sand consolidation in oil wells provided such resins shall have been manufactured or imported in accordance with a specific license which authorizes their distribution as exempt products.

(24) Intact meters containing radium activated luminous material.

(25) Piezoelectric ceramic containing not more than 2 percent by weight source material.

(26) Gas and aerosol detectors containing radioactive material and designed to protect life or property from fires and airborne hazards provided such detectors have been manufactured or imported in accordance with a specific license which authorizes their distribution as exempt products.

(27) Self–luminous products containing tritium, krypton 85, or promethium 147 provided such products have been manufactured or imported in accordance with a specific license which authorizes their distribution as exempt products, and provided further that such products are not used primarily for frivolous purposes or as toys or adornments.

(28) Ionizing radiation measuring instruments containing, for purposes of internal calibration or standardization, one or more sources of radioactive material, provided that:

(A) Each source contains no more than one exempt quantity set forth in section 30235, Schedule A, and

(B) Each instrument contains no more than ten exempt quantities. For purposes of subsection (b)(28)(A) and (B), an instrument's source(s) may contain either one type or different types of radionuclides, and an individual exempt quantity may be composed of fractional parts of one or more of the exempt quantities in section 30235, Schedule A, provided that the sum of such fractions shall not exceed unity.

(C) For purposes of subsection (b)(28)(B), 0.05 microcurie of americium– 241 is considered an exempt quantity under section 30235, Schedule A.

(29) Spark gap irradiators containing not more than one microcurie of cobalt–60 per spark gap irradiator for use in electrically ignited fuel oil burners having a firing rate of at least three gallons per hour (11.4 liters per hour).

(30) Capsules containing one microcurie of carbon–14 urea each, for in vivo diagnostic use for humans. Persons who use the capsules for research involving human subjects shall possess a specific license issued pursuant to section 30195.

(c) The following concentrations and quantities are exempt from this regulation:

(1) Any naturally–occurring radioactive material, except source material, in concentrations which occur naturally. Unprocessed ore in its natural form containing source material is exempt. Refining and processing are not exempt.

(2) Any chemical mixture, compound, solution or alloy containing up to one–twentieth of one percent (0.05 percent) by weight of source material.

(3) Any radioactive material in concentration not exceeding those specified in section 30237, Schedule C, except that a specific license shall be required by any person to transfer possession or control of any product or material into which radioactive material has been introduced in such concentrations except for transfers to appropriately licensed persons for analytical test or waste disposal purposes.

(4) Radioactive material in individual quantities each of which does not exceed the applicable quantity set forth in section 30235, Schedule A, if not more than 10 such scheduled quantities are possessed at any one time.

(d) The exemptions contained in subsection (b) shall not authorize any of the following:

(1) The manufacture of any product listed.

(2) The application or removal of radioactive luminous material to or from meters and timepieces, or hands and dials therefor.

(3) The installation into automobile locks of illuminators containing tritium or promethium 147 or the application of tritium to balances of precision or parts therefor.

(4) The chemical, physical, or metallurgical treatment or processing of thorium–metal alloys.

(5) Human use, or the use in any device or article, except time pieces and the product specified in subsection (b)(30), which is intended to be placed on or in the human body.

(6) The chemical, physical, or metallurgical treatment or processing of uranium counterweights other than repair or restoration of any plating or other covering.

(e) The exemptions specified in subsections (b)(30), (c)(3) or (c)(4) shall not authorize the production, packaging, repackaging or transfer of radioactive material for purposes of commercial distribution, or the incorporation of radioactive material into products intended for commercial distribution.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115165 and 115235, Health and Safety Code.

HISTORY

1. Amendment of subsection (c)(1) and new subsection (d)(7) filed 10–12–72; effective thirtieth day thereafter (Register 72, No. 42). For prior history, see Register 71, No. 30.
2. Amendment filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).
3. Change without regulatory effect of subsections (b)(15) and (c)(2)–(4) (Register 88, No. 6).
4. Change without regulatory effect amending subsections (b)(1), (b)(17), (b)(28), and (d)(2) filed 11–1–91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
5. Editorial correction reinserting inadvertently omitted subsections (c)–(c)(4) (Register 92, No. 44).
6. Editorial correction of subsection (b)(28)(B) (Register 2003, No. 29).
7. Amendment of section and repealer and new NOTE filed 7–28–2006; operative 8–27–2006 (Register 2006, No. 30).

§ 17–30190. Types of Licenses.

(a) Department licenses for radioactive material are of two types: general and specific.

(b) General licenses provided in this regulation are effective without the filing of an application with the department or the issuance of licensing documents to particular persons.

(c) Specific licenses are issued to named persons upon approval of an application filed pursuant to this regulation. A specific license issued by the department is required by any person to possess any radioactive material in this state, except as otherwise provided in Sections 30180, 30181, 30182, 30191, 30192, or 30225.

(d) Every specific and general license is subject to all applicable provisions of this regulation and, except as otherwise specified, to the provi-

sions of Group 3 of this subchapter (Standards for Protection Against Radiation).

HISTORY

1. Repealer of Article 4 (Sections 30190 through 30205) and new Article 4 (Sections 30190 through 30198 and 30205) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Register 62, No. 1.

§ 17–30191. General Licenses–Source Material.

(a) A general license is hereby issued to commercial firms, education, and medical institutions and government agencies, authorizing the possession and use of not more than 15 pounds of source material at any one time, for research, development, educational, commercial or operational purposes. Persons authorized to possess and use source material, pursuant to this general license, may not receive more than a total of 150 pounds of source material in any one calendar year. Any person shall, with respect to such source material, be exempt from the provisions of Group 3 of this subchapter, except for Sections 30253, 30254 and 30293(a), unless such person also possesses source material under a specific license.

(b) A general license described in Section 30191(a) shall not authorize human use; or the use in any device or article which is intended to be placed on or in the human body; or the use of any instrument or apparatus (including component parts and accessories thereto) intended for human use.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 114985(g), 115000, 115060, 115165 and 115235, Health and Safety Code.

HISTORY

1. New NOTE filed 8–22–84 (Register 84, No. 34).
2. Amendment filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).
3. Change without regulatory effect inserting (a) to first paragraph filed 11–1–91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
4. Amendment of subsection (a) and NOTE filed 9–9–97; operative 10–9–97 (Register 97, No. 37).

§ 17–30192. General Licenses—Static Elimination or Ion Generation Devices.

(a) A general license is hereby issued to any person authorizing possession of radioactive material incorporated in any of the following items when manufactured pursuant to a specific license which authorizes distribution to general licensees:

(1) Static eliminators containing sealed sources of up to 500 microcuries of polonium 210 per device.

(2) Air ionization devices containing, as sealed sources, up to 500 microcuries of polonium 210 or 50 millicuries of hydrogen 3 per device.

(b) Possession of radioactive material listed in this section is exempt from the requirements of Group 3 of this subchapter except for Sections 30253, 30254, and 30293(a).

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 114985(g), 115060, 115165 and 115235, Health and Safety Code.

HISTORY

1. Amendment of subsection (c) and new subsection (f) filed 11–16–67; effective thirtieth day thereafter (Register 67, No. 46).
2. Amendment of subsection (c)(1) filed 5–13–66; effective thirtieth day thereafter (Register 69, No. 20).
3. Repealer of subsections (a)(1)(B) and (a)(1)(C), renumbering of (a)(1)(D) to (a)(1)(B), new subsection (a)(3) and amendment of subsection (b) filed 7–22–71; effective thirtieth day thereafter (Register 71, No. 30).
4. Repealer of subsections (a)(2) and (b)(2) filed 10–12–72; effective thirtieth day thereafter (Register 72, No. 42).
5. Amendment of subsection (a)(3) filed 10–11–74; effective thirtieth day thereafter (Register 74, No. 41).
6. Repealer and new section filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).
7. Amendment of subsection (b) and NOTE filed 9–9–97; operative 10–9–97 (Register 97, No. 37).
8. Editorial correction restoring inadvertently deleted HISTORIES (Register 97, No. 45).

§ 17–30193. Application for Specific Licenses and Amendments.

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25805, 25815, 25855, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer filed 7–8–87; operative 8–7–87 (Register 87, No. 29).

§ 17–30194. Approval of Applications and Specific Terms and Conditions for Licenses.

(a) An application for a new specific license or for renewal or amendment of an existing license will be approved if the Department determines that:

(1) the applicant or his specified personnel are qualified by reason of training and experience to use radioactive material of the kinds and quantities and for the purposes requested, in such a manner as to provide reasonable and adequate assurance of protection to health, life, and property;

(2) the applicant's equipment, facilities, proposed uses and procedures are such as to provide reasonable and adequate assurance of protection to health, life, and property;

(3) the issuance of the license will not jeopardize the health and safety of the public;

(4) the applicant satisfies all applicable requirements of the Act and regulations thereunder.

(b) Prior to issuing, amending or renewing a license pursuant to the provisions of this subchapter, the Department may inspect at any reasonable time the place of business, or premises and facilities of any applicant in order to verify information contained in the application or to obtain additional information for the purpose of completing the application.

(c) No license or any right under a license shall be assigned or otherwise transferred unless approved in advance by the Department.

(d) Each licensee shall restrict possession of licensed material to the locations and conditions of the use authorized in the license.

(e) Each specific license shall expire on the expiration date specified as a condition of the license. However, the license shall continue to be valid if a timely application for renewal is filed. An application for renewal shall be timely if filed at least 30 days prior to the expiration date. The existing license shall not expire until the department has taken final action on the timely filed application for renewal.

(f) Applications and documents submitted shall be made available for public inspection except where the applicant identifies portions of the application as "trade secret" and the Department finds that the information is "trade secret" pursuant to provisions of the Public Records Act and Evidence Code Section 1060.

(g) As provided by Section 30195.1, certain applications for specific licenses filed under Group 2 shall contain a proposed decommissioning funding plan or a certification of financial assurance for decommissioning. In the case of renewal applications submitted before January 1, 1996, the submittal of a proposed decommissioning funding plan or a certification of financial assurance for decommissioning may follow the renewal application but shall be submitted on or before January 1, 1996.

NOTE: Authority cited: Sections 100110, 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115165, 115230 and 115235, Health and Safety Code.

HISTORY

1. Amendment filed 7–8–87; operative 8–7–87 (Register 87, No. 29).
2. New subsection (g) filed 10–16–95 as an emergency; operative 10–16–95 (Register 95, No. 42). A Certificate of Compliance must be transmitted to OAL by 2–13–96 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 10–16–95 order, including amendment of NOTE, transmitted to OAL 2–9–96 and filed 3–25–96 (Register 96, No. 13).

§ 17–30195. Special Requirements for Issuance of Specific Licenses.

In addition to the requirements set forth in Section 30194, specific licenses for certain specialized uses will be issued only if the following conditions are met:

(a) For human use of radioactive material in institutions:

(1) The institution has a formally–constituted and officially–recognized medical radiation safety committee, which should include a representative of the institution's administration and at least three individuals who are knowledgeable in the areas of human use of radioactive material and of radiation safety, and which shall evaluate all proposals for, and maintain surveillance over, all uses of radioactive material within the institution.

(2) The institution has a radiation safety officer, who is a member of the radiation safety committee, and who is qualified by reason of training and experience to oversee the radiation safety aspects of radioactive material use in the institution.

(3) The institution's application includes a detailed statement of qualifications, duties, authority, and responsibility of the radiation safety committee and the radiation safety officer.

(4) The institution had adequate facilities for the clinical care of patients.

(5) Each person to be designated as an individual radioactive material user is a physician and furnishes clear evidence of substantial training and experience in the kinds of uses proposed, including handling and administration of the radioactive material and the appropriate clinical management of patients.

(b) For human use of radioactive material by individuals:

(1) The applicant is a physician and furnishes clear evidence of having substantial training and experience in the kinds of uses proposed, including the handling and administration of the radioactive material and the appropriate clinical management of patients.

(2) The applicant demonstrates access to adequate hospital facilities for the patients, where appropriate.

(c) For use of multiple quantities of types of radioactive material for research and development or for processing for distribution:

(1) The applicant has a radiation safety committee of at least three members which must evaluate all proposals for, and maintain surveillance over, all uses of radioactive material. Committee members shall be knowledgeable and experienced in pertinent kinds of radioactive material use and in radiation safety.

(2) The applicant has a radiation safety officer, who is a member of the radiation safety committee, and who is supported by a staff of a size and degree of competence appropriate to deal with radiation safety problems that might be encountered.

(3) The applicant furnishes a detailed statement of the qualifications, duties, authority, and responsibilities of the radiation safety committee and of the staff radiation safety group.

(d) For distribution of devices to persons generally licensed under Sections 30192.1 and 30192.6:

(1) The applicant submits sufficient information relating to the design, manufacture, prototype testing, quality control procedures, labeling, proposed uses and conditions of use, and potential radiation hazards of each device to provide reasonable assurance that:

(A) the radioactive material contained in the device will not be lost;

(B) no individual will receive a radiation dose to the whole body or major portion thereof, head and trunk, lens of the eye, gonads, or active blood–forming organs in excess of 0.5 rem in a year, under ordinary circumstances of use;

(C) the device can be safely operated by individuals not trained in radiation safety; and

(D) the radioactive material within the device would not be accessible to unauthorized individuals.

(2) The applicant submits a sample of the labels to be affixed to the device which include instructions and precautions for safe operation, and indicates the manner in which the labels will be affixed and their location on the device. Each such label shall bear the statement, "Removal of this label is prohibited."

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25855 and 25876, Health and Safety Code.

HISTORY

1. Repealer and new subsection (e) filed 10–12–72; effective thirtieth day thereafter (Register 72, No. 42).
2. Repealer of subsection (e) filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).
3. Change without regulatory effect amending subsection (d) filed 11–1–91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).

§ 17–30196. Issuance of Specific Licenses.

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25805, 25815, 25855, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer filed 7–8–87; operative 8–7–87 (Register 87, No. 29).

§ 17–30198. Expiration of Licenses.

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25805, 25815, 25855, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer filed 7–8–87; operative 8–7–87 (Register 87, No. 29).

§ 17–30205. Modification, Suspension, Revocation and Termination of Licenses.

(a) All licenses shall be subject to modification, suspension, or revocation by regulations or orders issued by the department.

(b) Any license may be modified, suspended, or revoked by the department:

(1) for any material false statement in the application or in any required report;

(2) because of conditions revealed by any means which would warrant refusal to grant such a license on an original application; or

(3) for violation of any terms and conditions of the Act, of the license, or of any relevant regulation or order of the department, including non–payment of license fee pursuant to Sections 30230–30232 of this regulation.

(c) Prior to the institution of proceedings to modify, suspend, or revoke a license, facts or conduct which may warrant such action shall be called to the attention of the licensee in writing and the licensee shall be accorded reasonable opportunity to demonstrate or achieve compliance, except in cases of willful violation or those in which the public health or safety requires otherwise.

(d) A specific license may be terminated by mutual consent between the licensee and the department.

NOTE: Authority cited: Sections 208 and 25811(d), Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendment of subsection (b)(3) filed 10–12–72; effective thirtieth day thereafter (Register 72, No. 42).
2. New NOTE filed 8–22–84 (Register 84, No. 34).

§ 17–30210. Authorization for Transfer.

(a) A licensee may transfer radioactive material only to persons listed below and only following acceptance of such transfer:

(1) the Department;

(2) any person who is exempt from this regulation to the extent permitted under such exemption; or

(3) any person licensed or authorized to receive the material by the United States Nuclear Regulatory Commission, the Department, or any other Agreement State.

(b) This section does not authorize the commercial distribution of radioactive material other than those items listed in Section 30192 through 30192.6, except when such distribution is authorized by a specific license.

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25855, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer of Article 5 (Section 30210 and 30211) and new Article 5 (Section 30210) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Register 62, No. 1.
2. Amendment filed 11–16–67; effective thirtieth day thereafter (Register 67, No. 46).
3. Amendment filed 5–13–69; effective thirtieth day thereafter (Register 69, No. 20).

4. Amendment filed 7–8–87; operative 8–7–87 (Register 87, No. 29).

§ 17–30220. Violations.

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25855, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer of Article 6 (Sections 30215 through 30217) and new Article 6 (Section 30220) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Register 62, No. 21.
2. Repealer filed 7–8–87; operative 8–7–87 (Register 87, No. 29).

§ 17–30225. Persons Licensed by Other Agencies.

(a) Any person who holds a specific license issued by the United States Nuclear Regulatory Commission, or by any other Agreement State or by any state that has been either provisionally or finally designated as a Licensing State by the Conference of Radiation Control Program Directors, Inc., other than this State, may conduct activities of the kind therein authorized within this State for a period not in excess of 180 days in any calendar year without obtaining a specific license from the department, provided that the following conditions are satisfied:

(1) The person maintains an office for directing the licensed activity, and at which radiation safety records are normally maintained, in a location under jurisdiction of the agency which issued the specific license.

(2) The license does not limit the authorized activity to specified installations or locations.

(3) The person provides written notice to the department at least 3 days prior to engaging in such activity. Such notice shall indicate the location, specific time period, and type of proposed possession and use within this state, and shall be accompanied by a copy of the pertinent license. If, for a specific case, the 3–day period would impose an undue hardship on the person, the person may make application to the department to proceed sooner.

(4) The person complies with all applicable regulations of the department and with all the terms and conditions of the license, except such terms and conditions which may be inconsistent with said regulations.

(5) The person supplies such other information as the department may request.

(6) The person pays a fee in accordance with section 30230(f) to the Department prior to the engagement of activities within the state.

(b) Any person who holds a specific license issued by the United States Nuclear Regulatory Commission, or by any other Agreement State or by any state that has been either provisionally or finally designated as a Licensing State by the Conference of Radiation Control Program Directors, Inc., other than this State, authorizing the holder to install or service a device described in section 30192.1(a) shall be issued a general license to install or service such device in this State, provided that the following conditions are satisfied:

(1) The person files a report with the department within 30 days after the end of each calendar quarter in which any device is transferred to or installed in this State identifying each device recipient by name and address, the type of device transferred or installed, and the quantity and type of radioactive material contained in each device.

(2) The device has been manufactured and labeled and is installed and serviced in accordance with applicable provisions of the specific license.

(3) The person assures that any labels required to be affixed to the device under regulations of the authority which licensed manufacture of the device are affixed and bear a statement that "Removal of this label is prohibited."

(4) The person furnishes to each device recipient in this State to whom he or she transfers such a device or on whose premises he or she installs the device, a copy of Group 1.5 of this subchapter, of section 30192.1(a) and (b) of this regulation, and of sections 30253, 30254, 30293(a)(2) and 30295 of Group 3 of this subchapter.

(c) The department may withdraw, limit, or qualify its acceptance of any license specified in sections 30225(a) or (b) upon determining that such action is necessary to protect health or to minimize danger to life or property.

NOTE: Authority cited: Sections 100275, 115000 and 115060, Health and Safety Code. Reference: Sections 114965, 114970, 114985, 114990, 115060, 115065, 115090, 115093, 115105, 115110, 115120, 115165, 115230 and 115235, Health and Safety Code.

HISTORY

1. Repealer of article 7 (section 30220) and new article 7 (section 30225) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Register 62, No. 21.
2. Amendment of subsection (a) filed 7–22–71; effective thirtieth day thereafter (Register 71, No. 30).
3. Amendment of subsection (a) filed 10–12–72; effective thirtieth day thereafter (Register 72, No. 42).
4. New NOTE filed 8–22–84 (Register 84, No. 34).
5. Amendment filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).
6. New subsection (a)(6) and amendment of NOTE filed 10–23–91; operative 11–22–91 (Register 92, No. 5).
7. Amendment of section and NOTE filed 10–15–2001; operative 11–14–2001 (Register 2001, No. 42).
8. Amendment of subsection (a)(6) filed 6–22–2005 as an emergency; operative 6–22–2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–20–2005 or emergency language will be repealed by operation of law on the following day.
9. Certificate of Compliance as to 6–22–2005 order transmitted to OAL 9–20–2005 and filed 10–18–2005 (Register 2005, No. 42).

§ 17–30230. License Fees.

(a) Except as provided in subsection (b), each applicant for a specific license pursuant to the provisions of this group shall include with the application a nonrefundable fee, which is equal to the annual fee as set forth in section 30231, and if the specific license is granted, the application fee shall constitute the annual fee for the first year of the license.

(b) Each applicant for a specific license for commercial distribution of sealed sources or devices containing sealed sources, who requests evaluation of the information submitted pursuant to section 30195(d)(1) and (d)(2), shall include with the application, a nonrefundable fee, which is equal to the annual fee, and a nonrefundable evaluation fee as set forth in section 30231. If the specific license is granted, the fee equal to the annual fee shall constitute the annual fee for the first year of the license.

(c) Each licensee shall pay an annual fee, as set forth in section 30231, on or before the anniversary of the effective date of the license.

(d) Each licensee, who applies for an amendment to a specific license that increases the maximum possession limits of the license shall include with the request submitted pursuant to section 30194.2, an additional fee for each such amendment, as set forth in section 30231(c).

(e) Each licensee authorized pursuant to section 30195(d) to commercially distribute sealed sources or devices containing sealed sources shall, in addition to the annual fee specified in section 30231(a), pay:

(1) The evaluation fees specified in section 30231(f)(1) through (3), specific to the type of evaluation, when a request for evaluation is submitted to the Department; and

(2) The annual fee specified in section 30231(f)(4).

(f) Each person authorized to conduct activities within the state pursuant to section 30225(a) shall pay a fee as specified in section 30231(e).

NOTE: Authority cited: Sections 100275, 115000, 115060 and 115065, Health and Safety Code. Reference: Sections 114965, 114970, 114980 and 115165, Health and Safety Code.

HISTORY

1. Amendment filed 8–1–62; effective thirtieth day thereafter (Register 62, No. 16).
2. Renumbering from article 9 to article 8, filed 11–29–65 (Register 65, No. 23).
3. New NOTE filed 8–22–84 (Register 84, No. 34).
4. New subsection (d) and amendment of NOTE filed 10–23–91; operative 11–22–91 (Register 92, No. 5).
5. Amendment of section and NOTE filed 6–22–2005 as an emergency; operative 6–22–2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–20–2005 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 6–22–2005 order transmitted to OAL 9–20–2005 and filed 10–18–2005 (Register 2005, No. 42).

§ 17–30231. Fee Schedule.

(a) The annual fee shall be calculated in accordance with the following formula and shall not exceed $25,000.00 for any one license:

Annual fee (rounded to the nearest dollar) = A + (A x B x C)

Where:

A = [Sum of the license fee specified in subsection (b)(1), the fee for unsealed sources specified in subsection (b)(2) and the fee for sealed sources specified in subsection (b)(3)]

B = [Number of authorized use locations minus one as specified in subsection (b)(4)]

C = [0.2 as specified in subsection (b)(4)].

(b) The annual fee for each specific license shall consist of the following components:

(1) A fee of $1,112.00 for each license;

(2) A fee for the unsealed sources authorized to be possessed at any one time by the license provided such unsealed sources have a combined total strength of over 10 millicuries (mCi), as follows:

Over 10 mCi, but not over 100 mCi	$636.00
Over 100 mCi, but not over 500 mCi	$1,271.00
Over 500 mCi, but not over 1 curie (Ci)	$2,543.00
Over 1 Ci, but not over 10 Ci	$3,814.00
Over 10 Ci, but not over 100 Ci	$5,085.00
Over 100 Ci	$6,375.00;

(3) A fee for the sealed sources authorized to be possessed at any one time by the license provided such sealed sources have a combined total strength of over 100 mCi, as follows:

Over 100 mCi, but not over 1 Ci	$636.00
Over 1 Ci, but not over 5 Ci	$1,271.00
Over 5 Ci, but not over 10 Ci	$2,543.00
Over 10 Ci, but not over 100 Ci	$3,814.00
Over 100 Ci, but not over 1,000 Ci	$5,085.00
Over 1,000 Ci	$6,357.00; and

(4) A fee for each location of use greater than one, authorized in a specific license pursuant to section 30194.1, which is determined by multiplying the number of authorized use locations minus one by the sum of the values of subsections (b)(1) through (3) and by 0.2.

(c) The amount of additional fee required pursuant section 30230(d), except as limited by this section, shall be the difference between the current annual fee and the total annual fees required for the new limits requested.

(d) Any licensee who fails to pay the annual fee by the anniversary of the effective date of the license shall immediately cease use of all sources of radiation by placing the sources in storage until such time as the annual fee and a late fee of 25 percent of the annual fee has been paid.

(e) The fee for persons authorized to operate under section 30225(a) shall be equal to the annual fee as specified in subsection (a) for the combined total strength of radioactive material that will be possessed while in this state. The fees shall be effective for the period in which reciprocity is granted under section 30225.

(f) The fees required by subsections (b) and (e) of section 30230 shall be as follows:

(1) $4,270.00 for evaluation of each device and sealed source;

(2) $3,270.00 for evaluation of each device only;

(3) $1,000.00 for evaluation of each sealed source only; and

(4) $400.00, annually, for each registry certificate maintained by the Department indicating that the sealed source or device is commercially manufactured and/or distributed and includes evaluations of modifications of the source or device identified on the certificate.

(g) Fees required by this section shall be nonrefundable.

NOTE: Authority cited: Sections 100275, 115000, 115060 and 115065, Health and Safety Code. Reference: Sections 114965, 114970, 114980 and 115165, Health and Safety Code.

HISTORY

1. Amendment filed 8–1–62; effective thirtieth day thereafter (Register 62, No. 16).
2. Amendment filed 7–2–82; effective thirtieth day thereafter (Register 82, No. 27).
3. Editorial correction of NOTE filed 8–22–84 (Register 84, No. 34).
4. Amendment filed 7–7–86 as an emergency; effective upon filing (Register 86, No. 28). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 11–4–86.
5. Certificate of Compliance transmitted to OAL 10–9–86 and filed 11–7–86 (Register 86, No. 45).
6. Amendment filed 3–6–89 as an emergency; operative 3–6–89 (Register 89, No. 10). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 7–5–89.
7. Certificate of Compliance transmitted to OAL 6–12–89 and filed 6–28–89 (Register 89, No. 26).
8. New subsection (e) and amendment of NOTE filed 10–23–91; operative 11–22–91 (Register 92, No. 5).
9. Amendment of subsections (a)–(c) and (e) and NOTE filed 3–1–94 as an emergency; operative 3–1–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 6–28–94 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 3–1–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).
11. Repealer and new section and amendment of NOTE filed 6–22–2005 as an emergency; operative 6–22–2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–20–2005 or emergency language will be repealed by operation of law on the following day.
12. Certificate of Compliance as to 6–22–2005 order transmitted to OAL 9–20–2005 and filed 10–18–2005 (Register 2005, No. 42).

§ 17–30232. Fee Limitations.

NOTE: Authority cited: Sections 208, 25811 and 25816, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25816, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendment filed 7–2–82; effective thirtieth day thereafter (Register 82, No. 27).
2. Editorial correction of NOTE filed 8–22–84 (Register 84, No. 34).
3. Amendment filed 7–7–86 as an emergency; effective upon filing (Register 86, No. 28). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 11–4–86.
4. Certificate of Compliance transmitted to OAL 10–9–86 and filed 11–7–86 (Register 86, No. 45).
5. Amendment filed 3–6–89 as an emergency; operative 3–6–89 (Register 89, No. 10). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 7–5–89.
6. Certificate of Compliance transmitted to OAL 6–12–89 and filed 6–28–89 (Register 89, No. 26).
7. Amendment of subsections (a), (c)–(f) and NOTE filed 3–1–94 as an emergency; operative 3–1–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 6–28–94 or emergency language will be repealed by operation of law on the following day.
8. Certificate of Compliance as to 3–1–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).
9. Repealer filed 6–22–2005 as an emergency; operative 6–22–2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–20–2005 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 6–22–2005 order transmitted to OAL 9–20–2005 and filed 10–18–2005 (Register 2005, No. 42).

§ 17–30235. Schedule A. Exempt Quantities.

Radionuclide	*Micro-curies*
Antimony-122 (Sb^{122})	100
Antimony-124 (Sb^{124})	10
Antimony-125 (Sb^{125})	10
Arsenic-73 (As^{73})	100
Arsenic-74 (As^{74})	10
Arsenic-76 (As^{76})	10
Arsenic-77 (As^{77})	100
Barium-131 (Ba^{131})	10
Barium-133 (Ba^{133})	10
Barium-140 (Ba^{140})	10
Beryllium-7 (Be^{7})	100
Bismuth-210 (Bi^{210})	1
Bromine-82 (Br^{82})	10
Cadmium-109 (Cd^{109})	10
Cadmium-115m (Cd^{115m})	10
Cadmium-115 (Cd^{115})	100
Calcium-45 (Ca^{45})	10
Calcium-47 (Ca^{47})	10
Carbon-14 (C^{14})	100
Cerium-141 (Ce^{141})	100
Cerium-143 (Ce^{143})	100
Cerium-144 (Ce^{144})	1
Cesium-129 (Cs^{129})	100
Cesium-131 (Cs^{131})	1,000
Cesium-134m (Cs^{134m})	100
Cesium-134 (Cs^{134})	1
Cesium-135 (Cs^{135})	10
Cesium-136 (Cs^{136})	10
Cesium-137 (Cs^{137})	10
Chlorine-36 (Cl^{36})	10
Chlorine-38 (Cl^{38})	10
Chromium-51 (Cr^{51})	1,000
Cobalt-57 (Co^{57})	100
Cobalt-58m (Co^{58m})	10
Cobalt-58 (Co^{58})	10
Cobalt-60 (Co^{60})	1
Copper-64 (Cu^{64})	100
Dysprosium-165 (Dy^{165})	10
Dysprosium-166 (Dy^{166})	100
Erbium-169 (Er^{169})	100
Erbium-171 (Er^{171})	100
Europium-152 9.2 h (Eu^{152} 9.2 h)	100
Europium-152 13 yr (Eu^{152} 13 yr)	1
Europium-154 (Eu^{154})	1
Europium-155 (Eu^{155})	10
Fluorine-18 (F^{18})	1,000
Gadolinium-153 (Gd^{153})	10
Gadolinium-159 (Gd^{159})	100
Gallium-67 (Ga^{67})	100
Gallium-72 (Ga^{72})	10
Germanium-71 (Ge^{71})	100
Gold-198 (Au^{198})	100
Gold-199 (Au^{199})	100
Hafnium-181 (Hf^{181})	10
Holmium-166 (Ho^{166})	100
Hydrogen-3 (H^{3})	1,000
Indium-111 (In^{111})	100
Indium-113m (In^{113m})	100
Indium-114m (In^{114m})	10
Indium-115m (In^{115m})	100
Iodine-123 (I^{123})	100
Iodine-125 (I^{125})	1
Iodine-126 (I^{126})	1
Iodine-129 (I^{129})	0.1
Iodine-131 (I^{131})	1
Iodine-132 (I^{132})	10
Iodine-133 (I^{133})	1
Iodine-134 (I^{134})	10
Iodine-135 (I^{135})	10
Iridium-192 (Ir^{192})	10
Iridium-194 (Ir^{194})	100
Iron-52 (Fe^{52})	10
Iron-55 (Fe^{55})	100
Iron-59 (Fe^{59})	10
Krypton-85 (Kr^{85})	100
Krypton-87 (Kr^{87})	10
Lanthanum-140 (La^{140})	10
Lead-210 (Pb^{210})	0.1
Lutetium-177 (Lu^{177})	100
Manganese-52 (Mn^{52})	10
Manganese-54 (Mn^{54})	10
Manganese-56 (Mn^{56})	10
Mercury-197m (Hg^{197m})	100
Mercury-197 (Hg^{197})	100
Mercury-203 (Hg^{203})	10
Molybdenum-99 (Mo^{99})	100
Neodymium-147 (Nd^{147})	100
Neodymium-149 (Nd^{149})	100
Nickel-59 (Ni^{59})	100
Nickel-63 (Ni^{63})	10

Radionuclide	Micro-curies
Nickel-65 (Ni^{65})	100
Niobium-93m (Nb^{93m})	10
Niobium-95 (Nb^{95})	10
Niobium-97 (Nb^{97})	10
Osmium-185 (Os^{185})	10
Osmium-191m (Os^{191m})	100
Osmium-191 (Os^{191})	100
Osmium-193 (Os^{193})	100
Palladium-103 (Pd^{103})	100
Palladium-109 (Pd^{109})	100
Phosphorus-32 (P^{32})	10
Platinum-191 (Pt^{191})	100
Platinum-193m (Pt^{193m})	100
Platinum-193 (Pt^{193})	100
Platinum-197m (Pt^{197m})	100
Platinum-197 (Pt^{197})	100
Polonium-210 (Po^{210})	0.1
Potassium-42 (K^{42})	10
Potassium-43 (K^{43})	10
Praseodymium-142 (Pr^{142})	100
Praseodymium-143 (Pr^{143})	100
Promethium-147 (Pm^{147})	10
Promethium-149 (Pm^{149})	10
Rhenium-186 (Re^{186})	100
Rhenium-188 (Re^{188})	100
Rhodium-103m (Rh^{103m})	100
Rhodium-105 (Rh^{105})	100
Rubidium-81 (Rb^{81})	10
Rubidium-86 (Rb^{86})	10
Rubidium-87 (Rb^{87})	10
Ruthenium-97 (Ru^{97})	100
Ruthenium-103 (Ru^{103})	10
Ruthenium-105 (Ru^{105})	10
Ruthenium-106 (Ru^{106})	1
Samarium-151 (Sm^{151})	10
Samarium-153 (Sm^{153})	100
Scandium-46 (Sc^{46})	10
Scandium-47 (Sc^{47})	100
Scandium-48 (Sc^{48})	10
Selenium-75 (Se^{75})	10
Silicon-31 (Si^{31})	100
Silver-105 (Ag^{105})	10
Silver-110m (Ag^{110m})	1
Silver-111 (Ag^{111})	100
Sodium-22 (Na^{22})	1
Sodium-24 (Na^{24})	10
Strontium-85 (Sr^{85})	10
Strontium-89 (Sr^{89})	1
Strontium-90 (Sr^{90})	0.1
Strontium-91 (Sr^{91})	10
Strontium-92 (Sr^{92})	10
Sulphur-35 (S^{35})	100
Tantalum-182 (Ta^{182})	10
Technetium-96 (Tc^{96})	10
Technetium-97m (Tc^{97m})	100
Technetium-97 (Tc^{97})	100
Technetium-99m (Tc^{99m})	100
Technetium-99 (Tc^{99})	10
Tellurium-125m (Te^{125m})	10
Tellurium-127m (Te^{127m})	10
Tellurium-127 (Te^{127})	100
Tellurium-129m (Te^{129m})	10
Tellurium-129 (Te^{129})	100
Tellurium-131m (Te^{131m})	10
Tellurium-132 (Te^{132})	10
Terbium-160 (Tb^{160})	10
Thallium-200 (Tl^{200})	100
Thallium-201 (Tl^{201})	100
Thallium-204 (Tl^{204})	10
Thulium-170 (Tm^{170})	10
Thulium-171 (Tm^{171})	10
Tin-113 (Sn^{113})	10
Tin-125 (Sn^{125})	10
Tungsten-181 (W^{181})	10
Tungsten-185 (W^{185})	10
Tungsten-187 (W^{187})	100
Vanadium-48 (V^{48})	10
Xenon-131m (Xe^{131m})	1,000
Xenon-133 (Xe^{133})	100
Xenon-135 (Xe^{135})	100
Ytterbium-175 (Yb^{175})	100
Yttrium-87 (Y^{87})	10
Yttrium-90 (Y^{90})	10
Yttrium-91 (Y^{91})	10
Yttrium-92 (Y^{92})	100
Yttrium-93 (Y^{93})	100
Zinc-65 (Zn^{65})	10
Zinc-69m (Zn^{69m})	100
Zinc-69 (Zn^{69})	1,000
Zirconium-93 (Zr^{93})	10
Zirconium-95 (Zr^{95})	10
Zirconium-97 (Zr^{97})	10
Any radionuclide not listed above other than alpha emitting radionuclides	0.1

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230 and 115235, Health and Safety Code.

HISTORY

1. New Schedule A filed 7–22–71; effective thirtieth day thereafter (Register 71, No. 30). For history of former section, see Register 62, No. 16.
2. Amendment filed 10–12–72; effective thirtieth day thereafter (Register 72, No. 42).
3. Amendment filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).
4. Amendment of NOTE filed 7–28–2006; operative 8–27–2006 (Register 2006, No. 30).

§ 17–30237. Schedule C.

Element (atomic number)	*Isotope*	*Column I Gas concentration* ($\mu Ci/ml^1$)	*Column II Liquid and solid concentration* ($\mu Ci/ml^2$)
Antimony (51)	Sb^{122}	.....	3×10^{-4}
	Sb^{124}	.....	2×10^{-4}
	Sb^{125}	.....	1×10^{-3}
Argon (18)	Ar^{37}	1×10^{-3}	.....
	Ar^{41}	4×10^{-7}	.....
Arsenic (33)	As^{73}	.....	5×10^{-3}
	As^{74}	.....	5×10^{-4}
	As^{76}	.....	2×10^{-4}
	As^{77}	.....	8×10^{-4}
Barium (56)	Ba^{131}	.....	2×10^{-3}
	Ba^{140}	.....	3×10^{-4}
Beryllium (4)	Be^{7}	.....	2×10^{-2}
Bismuth (83)	Bi^{206}	.....	4×10^{-4}
Bromine (35)	Br^{42}	4×10^{-7}	3×10^{-2}
Cadmium (48)	Cd^{109}	.....	2×10^{-2}
	Cd^{115m}	.....	3×10^{-4}
	Cd^{113}	.....	3×10^{-4}
Calcium (20)	Ca^{45}	.....	9×10^{-3}
	Ca^{47}	.....	5×10^{-4}
Carbon (6)	C^{14}	1×10^{-6}	8×10^{-3}
Cerium (58)	Ce^{141}	.....	9×10^{-4}
	Ce^{143}	.....	4×10^{-4}
	Ce^{144}	.....	1×10^{-4}
Cesium (55)	Cs^{131}	.....	2×10^{-2}
	Cs^{134m}	.....	6×10^{-2}
	Cs^{134}	.....	9×10^{-3}
Chlorine (17)	Cl^{36}	9×10^{-7}	4×10^{-3}
Chromium (24)	Cr^{51}	.....	2×10^{-2}
Cobalt (27)	Co^{57}	.....	5×10^{-3}
	Co^{58}	.....	1×10^{-3}
	Co^{60}	.....	5×10^{-4}
Copper (29)	Cu^{64}	.....	3×10^{-3}
Dysprosium (66)	Dy^{165}	.....	4×10^{-3}
	Dy^{166}	.....	4×10^{-4}
Erbium (68)	Er^{169}	.....	9×10^{-4}
	Er^{171}	.....	1×10^{-3}
Europium (63)	Eu^{162}	.....	6×10^{-4}
	(T/2=9.2 Hrs.)	.....	.....
	Eu^{158}	.....	2×10^{-3}
Fluorine (9)	F^{18}	2×10^{-6}	8×10^{-3}
Gadolinium (64)	Gd^{153}	.....	2×10^{-3}
	Gd^{159}	.....	8×10^{-4}
Gallium (31)	Ga^{72}	.....	4×10^{-4}
Germanium (32)	Ge^{71}	.....	2×10^{-2}
Gold (79)	Au^{196}	.....	2×10^{-2}
	Au^{198}	.....	5×10^{-4}
	Au^{199}	.....	2×10^{-2}
Hafnium (72)	Hf^{181}	.....	7×10^{-4}
Hydrogen (1)	H^{3}	5×10^{-6}	3×10^{-2}
Indium (49)	In^{113m}	.....	1×10^{-2}
	In^{114m}	.....	2×10^{-4}
Iodine (53)	I^{126}	3×10^{-9}	2×10^{-5}
	I^{131}	3×10^{-9}	2×10^{-3}
	I^{132}	8×10^{-8}	6×10^{-4}
	I^{133}	1×10^{-8}	7×10^{-3}
	I^{134}	2×10^{-7}	1×10^{-3}
Iridium (77)	Ir^{190}	.....	2×10^{-3}
	Ir^{192}	.....	4×10^{-4}
	Ir^{194}	.....	3×10^{-4}
Iron (26)	Fe^{53}	.....	8×10^{-2}
	Fe^{59}	.....	6×10^{-4}
Krypton (36)	Kr^{86m}	1×10^{-6}	.....
	Kr^{88}	3×10^{-6}	.....
Lanthanum (57)	La^{140}	.....	2×10^{-4}
Lead (82)	Pb^{203}	.....	4×10^{-3}
Lutetium (71)	Lu^{177}	.....	1×10^{-3}
Manganese (25)	Mn^{52}	.....	3×10^{-4}
	Mn^{54}	.....	1×10^{-3}
	Mn^{56}	.....	1×10^{-3}
Mercury (80)	Hg^{197m}	.....	2×10^{-3}
	Hg^{197}	.....	3×10^{-3}
	Hg^{203}	.....	2×10^{-4}
Molybdenum (42)	Mo^{99}	.....	2×10^{-3}
Neodymium (60)	Nd^{147}	.....	6×10^{-4}
	Nd^{149}	.....	3×10^{-3}

Element (atomic number)	*Isotope*	*Column I Gas concentration ($\mu Ci/ml^1$)*	*Column II Liquid and solid concentration ($\mu Ci/ml^2$)*
Nickel (28)	Ni^{66}	.....	1×10^{-3}
Niobium (columbium)(41)	Nb^{95}	.....	1×10^{-3}
	Nb^{97}	.....	9×10^{-3}
Osmium (76)	Os^{185}	.....	7×10^{-4}
	Os^{191m}	.....	3×10^{-2}
	Os^{191}	.....	2×10^{-3}
	Os^{193}	.....	6×10^{-4}
Palladium (46)	Pd^{103}	.....	3×10^{-3}
	Pd^{109}	.....	9×10^{-4}
Phosphorus (15)	P^{32}	.....	2×10^{-4}
Platinum (78)	Pt^{191}	.....	1×10^{-3}
	Pt^{193m}	.....	1×10^{-2}
	Pt^{197m}	.....	1×10^{-2}
	Pt^{197}	.....	1×10^{-3}
Polonium (84)	Po^{210}	.....	7×10^{-4}
Potassium (19)	K^{42}	.....	3×10^{-3}
Praseodymium (59)	Pr^{142}	.....	3×10^{-4}
	Pr^{143}	.....	5×10^{-4}
Promethium (61)	Pm^{147}	.....	2×10^{-3}
	Pm^{149}	.....	4×10^{-4}
Radium (88)	Ra^{223}	.....	1×10^{-7}
Radon (86)	Rn^{230}	1×10^{-7}	.....
	Rn^{222}	1×10^{-8}	.....
Rhenium (75)	Re^{183}	.....	6×10^{-3}
	Re^{185}	.....	9×10^{-4}
	Re^{188}	.....	6×10^{-4}
Rhodium (45)	Rh^{103m}	.....	1×10^{-1}
	Rh^{105}	.....	1×10^{-3}
Rubidium (37)	Rb^{85}	.....	7×10^{-4}
Ruthenium (44)	Ru^{97}	.....	4×10^{-3}
	Ru^{103}	.....	8×10^{-4}
	Ru^{105}	.....	1×10^{-3}
	Ru^{106}	.....	1×10^{-4}
Samarium (62)	Sm^{133}	.....	8×10^{-4}
Scandium (21)	Sc^{45}	.....	4×10^{-4}
	Sc^{47}	.....	9×10^{-4}
	Sc^{48}	.....	3×10^{-4}
Selenium (34)	Se^{73}	.....	3×10^{-2}
Silicon (14)	Si^{31}	.....	9×10^{-2}
Silver (47)	Ag^{105}	.....	1×10^{-3}
	Ag^{110m}	.....	3×10^{-4}
	Ag^{111}	.....	4×10^{-4}
Sodium (11)	Na^{24}	.....	2×10^{-3}
Strontium (38)	Sr^{85}	.....	1×10^{-3}
	Sr^{89}	.....	1×10^{-4}
	Sr^{91}	.....	7×10^{-4}
	Sr^{92}	.....	7×10^{-4}
Sulfur (16)	S^{35}	9×10^{-8}	6×10^{-8}
Tantalum (73)	Ta^{182}	.....	4×10^{-4}
Technetium (43)	Tc^{99m}	.....	1×10^{-1}
	Tc^{98}	.....	1×10^{-3}
Tellurium (52)	Te^{125m}	.....	2×10^{-3}
	Te^{127m}	.....	6×10^{-4}
	Te^{127}	.....	3×10^{-3}
	Te^{129m}	.....	3×10^{-4}
	Te^{131m}	.....	6×10^{-4}
	Te^{132}	.....	3×10^{-4}
Terbium (65)	Tb^{169}	.....	4×10^{-4}
Thallium (81)	Tl^{200}	.....	4×10^{-3}
	Tl^{201}	.....	5×10^{-2}
	Tl^{202}	.....	1×10^{-3}
	Tl^{204}	.....	1×10^{-3}
Thulium (69)	Tm^{170}	.....	5×10^{-4}
	Tm^{171}	.....	5×10^{-3}
Tin (50)	Sn^{113}	.....	9×10^{-4}
	Sn^{123}	.....	2×10^{-4}
Tungsten (wolfram)(74)	W^{181}	.....	4×10^{-3}
	W^{187}	.....	7×10^{-4}
Vanadium (23)	V^{48}	.....	3×10^{-4}
Xenon (54)	Xe^{131m}	4×10^{-6}	.....
	Xe^{133}	3×10^{-6}	.....
	Xe^{135}	1×10^{-6}	.....
Ytterbium (70)	Yb^{173}	.....	1×10^{-3}
Yttrium (39)	Y^{90}	.....	2×10^{-4}
	Y^{91m}	.....	3×10^{-3}
	Y^{91}	.....	3×10^{-4}
	Y^{92}	.....	6×10^{-4}
	Y^{93}	.....	3×10^{-4}

Element (atomic number)	*Isotope*	*Column I Gas concentration ($\mu Ci/ml^1$)*	*Column II Liquid and solid concentration ($\mu Ci/ml^2$)*
Zinc (30)	Zn^{65}	.....	1×10^{-3}
	Zn^{69m}	.....	7×10^{-4}
	Zn^{69}	.....	2×10^{-2}
Zirconium (40)	Zr^{95}	.....	6×10^{-4}
	Zr^{97}	.....	2×10^{-4}
Beta and/or gamma emitting radioactive material not listed above with half-life less than 3 years		1×10^{-10}	1×10^{-6}

NOTE: 1: Many radioisotopes disintegrate into isotopes which are also radioactive. In expressing the concentrations in Schedule C, the activity stated is that of the parent isotope and takes into account the daughters.

NOTE: 2: Where there is involved a combination of isotopes, the limit for the combination should be derived as follows:

Determine for each isotope in the product the ratio between the concentration present in the product and the exempt concentration established in Schedule C for the specific isotope when not in combination. The sum of such ratios may not exceed "1" (i.e. unity).

Example:

$$\frac{\text{Concentration of Isotope A in Product}}{\text{Exempt concentration of Isotope A}} + \frac{\text{Concentrate of Isotope B in Product}}{\text{Exempt concentration of Isotope B}} \leq 1$$

[1] Values are given only for those materials normally used as gases.

[2] μCi/gm for solids.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115000, 115060, 115165, 115230 and 115235, Health and Safety Code.

HISTORY

1. Amendment filed 7–22–71; effective thirtieth day thereafter (Register 71, No. 30).
2. Change without regulatory effect amending Arsenic and Beryllium and adoption of NOTE filed 11–1–91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
3. Amendment of listings for argon and platinum and amendment of footnote 2 and NOTE filed 7–28–2006; operative 8–27–2006 (Register 2006, No. 30).

§ 17–30250. Authority.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer of Article 1 and new Article 1 (30250 through 30255) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For former Article 1, see Register 62, No. 1.
2. Repealer filed 6–18–87; operative 7–18–87 (Register 87, No. 28).

§ 17–30251. Purpose.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer filed 6–18–87; operative 7–18–87 (Register 87, No. 28).

§ 17–30252. Scope and Purpose.

(a) Group 3 regulations apply to all persons who possess sources of radiation, except as exempt from the licensing and registration requirements or otherwise specifically exempted by the provisions of Group 1 and Group 2 of this subchapter.

(b) The limits in Group 3 do not apply to doses due to background radiation, to exposure of patients to radiation for the purpose of medical diagnosis or therapy, or to voluntary participation in medical research programs.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

HISTORY

1. Repealer and new subsection (b) filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day. For prior history, see Register 87, No. 28.
2. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).
3. Editorial correction deleting HISTORY 1 and amending and redesignating HISTORY 2 (Register 94, No. 28).

§ 17–30253. Standards for Protection Against Radiation.

(a) The regulations governing standards for protection against radiation in title 10, Code of Federal Regulations, part 20, (10 CFR 20) sections 20.1001 through 20.2402 and Appendices A through G, (January 1, 2005) are hereby incorporated by reference with the following exceptions:

(1) Title 10, Code of Federal Regulations, sections 20.1001, 20.1002, 20.1006, 20.1007, 20.1008, 20.1009, 20.1401, 20.1402, 20.1403, 20.1404, 20.1405, 20.1406, 20.2106(d), 20.2302, 20.2401, and 20.2402, and Appendix D are not incorporated by reference.

(2) Any references to the United States Nuclear Regulatory Commission (NRC) or any component thereof shall be deemed to be a reference to State Department of Health Services.

(3) The definition of the term "Byproduct material" in 10 CFR 20, section 20.1003 is modified to mean any radioactive material, except special nuclear material, yielded in or made radioactive by exposure to the radiation incident to, the process of producing or utilizing special nuclear material.

(4) The definition of the term "License" in 10 CFR 20, section 20.1003 is replaced by the definition of the term "License" as defined in section 30100 of this regulation.

(5) The definition of the term "Licensed material" in 10 CFR 20, section 20.1003 is modified to mean any radioactive material including source material, special nuclear material, or byproduct material received, possessed, used, transferred or disposed of under a general or specific license issued by the NRC, or by any other Agreement State or by any state that has been either provisionally or finally designated as a Licensing State by the Conference of Radiation Control program Directors, Inc. With respect to dose limits and reporting requirements, the term "Licensed material" is to be construed broadly in context to include any source of ionizing radiation subject to the requirements of this regulation.

(6) The definition of the term "Licensee" as defined in 10 CFR 20, section 20.1003 is replaced by the definition of the term "User" as set forth in section 30100 of this regulation.

(7) The definition of the term "Person" as defined in 10 CFR 20, section 20.1003 is replaced by the definition of the term "Person" as set forth in section 114985(c) of the Health and Safety Code.

(8) The definition of the term "Radiation (ionizing radiation)" as defined in 10 CFR 20, section 20.1003 is replaced by the definition of the term "Ionizing radiation" as set forth in section 114985(b) of the Health and Safety Code.

(9) The definition of the term "Special nuclear materials" as defined in 10 CFR 20, section 20.1003 is replaced by the definition of the term "Special nuclear material" as set forth in section 114985(f) of the Health and Safety Code.

(b) The terms defined in 10 CFR 20, section 20.1003, as incorporated by reference, shall apply to this regulation, except that:

(1) The term "Act" as defined in 10 CFR 20, section 20.1003 is limited to the textual material incorporated by reference in subsection (a) above. The meaning of the term "Act" elsewhere in this regulation, means the "Radiation Control Law," Health and Safety Code, Division 104, Part 9, chapter 8, sections 114960 et seq.

(2) The term "Department" as defined in 10 CFR 20, section 20.1003 is limited to the provisions incorporated by reference in subsection (a).

The meaning of the term "Department" elsewhere in this regulation, is as defined in section 114985(j) of the Health and Safety Code.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114960, 114965, 114970, 114985, 114990, 115060, 115105, 115110, 115120, 115165, 115230 and 115235, Health and Safety Code.

HISTORY

1. Repealer and new section filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day. For prior history, see Register 86, No. 28.
2. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).
3. Editorial correction deleting HISTORY 1 and amending and redesignating HISTORY 3 (Register 94, No. 28).
4. Editorial correction of section heading (Register 99, No. 8).
5. Amendment of section and NOTE filed 10–15–2001; operative 11–14–2001 (Register 2001, No. 42).
6. Change without regulatory effect amending subsection (a)(1) and repealing subsections (a)(10)–(12) filed 8–8–2002 pursuant to section 100, title 1, California Code of Regulations (Register 2002, No. 32).
7. Amendment filed 7–20–2006; operative 8–19–2006 (Register 2006, No. 29).

§ 17–30254. Inspection.

(a) Each user shall afford to the Department or other official agency specifically designated by the Department, at all reasonable times, opportunity to inspect materials, machines, activities, facilities, premises, and records pursuant to these regulations.

(b) During an inspection, inspectors may consult privately with workers as specified below. The user may accompany inspectors during other phases of an inspection.

(1) Inspectors may consult privately with workers concerning matters of occupational radiation protection and other matters related to applicable provisions of Department regulations and licenses to the extent the inspectors deem necessary for the conduct of an effective and thorough inspection.

(2) During the course of an inspection any worker may bring privately to the attention of the inspectors, either orally or in writing, any past or present condition which he has reason to believe may have contributed to or caused any violation of the Radiation Control Law, these regulations, or license condition, or any unnecessary exposure of an individual to radiation from licensed radioactive material or a registered radiation machine under the user's control. Any such notice in writing shall comply with the requirements of subsection (h) hereof.

(3) The provision of paragraph (b)(2) of this section shall not be interpreted as authorization to disregard instructions pursuant to Section 30255(b)(1).

(c) If, at the time of inspection, an individual has been authorized by the workers to represent them during inspections, the user shall notify the inspectors of such authorization and shall give the workers' representative an opportunity to accompany the inspectors during the inspection of physical working conditions.

(d) Each worker's representative shall be routinely engaged in work under control of the user and shall have received instructions as specified in Section 30280(b)(1).

(e) Different representatives of users and workers may accompany the inspectors during different phases of an inspection if there is no resulting interference with the conduct of the inspection. However, only one workers' representative at a time may accompany the inspectors.

(f) With the approval of the user and the workers' representative, an individual who is not routinely engaged in work under control of the user, for example, a consultant to the user or to the workers' representative, shall be afforded the opportunity to accompany inspectors during the inspection of physical working conditions.

(g) Notwithstanding the other provisions of this section, inspectors are authorized to refuse to permit accompaniment by an individual who deliberately interferes with a fair and orderly inspection. With regard to any area containing proprietary information, the workers' representative for that area shall be an individual previously authorized by the user to enter that area.

(h) Any worker or representative of workers who believes that a violation of the Radiation Control Law, these regulations or license conditions exists, or has occurred in work under a license or registration with regard to radiological working conditions in which the worker is engaged, may request an inspection by giving notice of the alleged violation to the Department or other official agency specifically designated by the Department. Any such notice shall be in writing, shall set forth the specific grounds for the notice, and shall be signed by the worker or representative of the workers. A copy shall be provided to the user by the Department no later than at the time of inspection except that, upon the request of the worker giving such notice, his name and the name of individuals referred to therein shall not appear in such copy or on any record published, released, or made available by the Department except for good cause shown.

(i) If, upon receipt of such notice, the Chief, Radiologic Health Branch, of the Department, determines that the complaint meets the requirements set forth in subsection (h) hereof, and that there are reasonable grounds to believe that the alleged violation exists or has occurred, he shall cause an inspection to be made as soon as practicable, to determine if such alleged violation exists or has occurred. Inspections pursuant to this section need not be limited to matters referred to in the complaint.

(j) No user shall discharge or in any manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceeding under these regulations or has testified or is about to testify in any such proceeding or because of the exercise by such worker on behalf of himself or others of any option afforded by this section.

(k) If the Chief, Radiologic Health Branch, of the Department, determines with respect to a complaint under subsection (h) hereof that an inspection is not warranted because there are no reasonable grounds to believe that a violation exists or has occurred, the complainant shall be notified in writing of such determination. The complainant may obtain review of such determination by submitting a written statement of position to the Director of the Department, who will provide the user with a copy of such statement by certified mail, excluding, at the request of the complainant, the name of the complainant. The user may submit an opposing written statement of position with the Director of the Department who will provide the complainant with a copy of such statement by certified mail. Upon the request of the complainant, the Director of the Department, or his designee, may hold an informal conference in which the complainant and the user may orally present their views. An informal conference may also be held at the request of the user, but disclosure of the identity of the complainant will be made only following receipt of written authorization from the complainant. After considering all written or oral views presented, the Director of the Department shall affirm, modify, or reverse the determination of the Chief, Radiologic Health Branch, of the Department, and furnish the complainant and the user a written notification of his decision and the reason therefor.

(l) If the Department determines that an inspection is not warranted because the requirements of subsection (h) hereof have not been met, it shall notify the complainant in writing of such determination. Such determination shall be without prejudice to the filing of a new complaint meeting the requirements of subsection (h) hereof.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

HISTORY

1. Repealer and new section filed 8–19–75 as an emergency; effective upon filing (Register 75, No. 34). Approved by CAL/OSHA Standards Board 12–16–75.
2. Certificate of Compliance filed 11–28–75 (Register 75, No. 48).
3. Amendment of subsections (b)(3) and (d) filed 8–23–76; effective thirtieth day thereafter (Register 76, No. 35).
4. Amendment of subsections (h), (i) and (k) filed 6–18–87; operative 7–18–87 (Register 87, No. 28).
5. New article 2 heading and amendment of subsection (b)(3) filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance

must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30255. Notices, Instructions, and Reports to Personnel.

(a) This section establishes requirements for notices, instructions, and reports by users to individuals engaged in work under a license or registration and options available to such individuals in connection with Department inspections of licensees or registrants to ascertain compliance with the provisions of the Radiation Control Law and regulations, orders, and licenses issued thereunder regarding radiological working conditions. The requirements in this section apply to all persons who receive, possess, use, own or transfer material licensed by or registered with the Department.

(b) Each user shall:

(1) Inform all individuals working in or frequenting any portion of a controlled area of the storage, transfer, or use of radioactive materials or of radiation in such portions of the controlled area; instruct such individuals in the health protection problems associated with exposure to such radioactive materials or radiation, in precautions or procedures to minimize exposure, and in the purposes and functions of protective devices employed; instruct such individuals in, and instruct them to observe, to the extent within their control, the applicable provisions of Department regulations and license conditions for the protection of personnel from exposures to radiation or radioactive materials occurring in such areas; instruct such individuals of their responsibility to report promptly to the licensee or registrant any condition which may lead to or cause a violation of department regulations or license conditions or unnecessary exposure to radiation or radioactive material, and of the inspection provisions of Section 30254; instruct such individuals in the appropriate response to warnings made in the event of any unusual occurrence or malfunction that may involve exposure to radiation or radioactive materials; and advise such individuals as to the radiation exposure reports which they may request pursuant to this section. The extent of these instructions shall be commensurate with potential radiological health protection problems in the controlled area.

(2) Conspicuously post a current copy of this regulation, a copy of applicable licenses for radioactive material, and a copy of operating and emergency procedures applicable to work with sources of radiation. If posting of documents specified in this paragraph is not practicable the user may post a notice which describes the document and states where it may be examined.

(3) Conspicuously post a current copy of Department Form RH–2364 (Notice to Employees) in a sufficient number of places to permit individuals working in or frequenting any portion of a controlled area to observe a copy on the way to or from such area.

(4) Conspicuously post any notice of violation involving radiological working conditions or any order issued pursuant to the Radiation Control Law and any required response from the user. Department documents posted pursuant to this paragraph shall be posted within two working days after receipt of the documents from the Department; the user's response, if any, shall be posted within two working days after dispatch by the user. Such documents shall remain posted for a minimum of five working days or until action correcting the violation has been completed, whichever is later.

(5) Assure that documents, notices, or forms posted pursuant to this section shall appear in a sufficient number of places to permit individuals engaged in work under the license or registration to observe them on the way to or from any particular work location to which the document applies, shall be conspicuous, and shall be replaced if defaced or altered.

(6) Provide reports to any individual of his radiation exposure data and the results of any measurements, analyses, and calculations of radioactive material deposited or retained in the body of that individual as specified in this section. The information reported shall include data and results obtained pursuant to Department regulations, orders, or license conditions, as shown in records maintained by the user pursuant to Department regulations. Each notification and report shall: be in writing; include appropriate identifying data such as the name of the user, the name of the individual, the individual's Social Security number; include the individual's exposure information; and contain the following statement:

"This report is furnished to you under the provisions of the California State Department of Health Services Regulations: Standards for Protection Against Radiation. You should preserve this report for future reference."

These reports shall be provided as follows:

(A) At the request of any individual, each user shall advise such individual annually of his exposure to radiation or radioactive material as shown in records maintained by the licensee or registrant pursuant to United States, title 10, Code of Federal Regulations, part 20, subpart M as incorporated by reference in section 30253, including the results of any calculations and analyses of radioactive material deposited in the body of the individual.

(B) At the request of an individual formerly engaged in work controlled by the user, the user shall furnish to the individual a report of his exposure to radiation or radioactive material. Such report shall be furnished within 30 days from the time the request is made, or within 30 days after the exposure of the individual has been determined by the user, whichever is later; shall cover, within the period of time specified in the request, each calendar quarter in which the individual's activities involved exposure to radiation from radioactive materials licensed by, or radiation machines registered with the Department; and shall include the dates and locations of work under the license or registration in which the individual participated during this period.

(C) When a user is required pursuant to United States, title 10, Code of Federal Regulations, part 20, subpart M as incorporated by reference in section 30253 to report to the Department any exposure of an individual to radiation or radioactive material, the user shall also provide the individual a report on his exposure data included therein. Such reports shall be transmitted at a time not later than the transmittal to the Department.

(D) At the request of an individual who is terminating employment or assignment to work involving radiation exposure in the user's facility in a given calendar quarter, the user shall furnish to the individual a written report of the individual's exposure to radiation or radioactive material received during that specifically identified calendar quarter. Such report shall contain an estimate of exposures if the final reports are not available at the time of termination. Estimated exposures shall be clearly indicated as such.

NOTE: Authority cited: Section 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25826, 25875 and 25876, Health and Safety Code.

HISTORY

1. Renumbering and amendment of former section 30280 to section 30255 filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30256. Vacating Installations: Records and Notice.

(a) Each person granted a specific license pursuant to Group 2 of this Subchapter shall keep records of information important to the decommissioning of a facility in an identified location until the site is released for unrestricted use by the Department. Before licensed activities are transferred or assigned in accordance with 30194(c), licensees shall transfer all records described in this section to the new licensee. In this case, the new licensee shall be responsible for maintaining these records until the

license is terminated. If records important to the decommissioning of a facility are kept for other purposes, reference to these records and their locations may be used. The records shall include the following information important to decommissioning:

(1) Records of spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment, or site. These records shall include but not be limited to a description of any instances when contamination remains after any cleanup procedures or when there is reasonable likelihood that contaminants may have spread to inaccessible areas, as for example, possible seepage into porous materials such as concrete. These records shall include any known information on identification of involved nuclides, quantities, forms, and concentrations.

(2) As–built drawings and modification drawings of structures and equipment in restricted areas where radioactive materials are used or stored, and of locations of possible inaccessible contamination such as buried pipes which may be subject to contamination. If required drawings are referenced, each relevant document need not be indexed individually. If drawings are not available, the licensee shall substitute appropriate records of available information concerning these areas and locations.

(3) Except for areas containing only sealed sources (provided the sources have not leaked or no contamination remains after any leak) or any radioactive materials having only half–lives of less than 65 days, a list contained in a single document and updated every 2 years, of the following:

(A) All areas designated and formerly designated restricted areas as defined in Title 10, Code of Federal Regulations, Section 20.1003 incorporated by reference pursuant to Title 17, California Code of Regulations, Section 30253;

(B) All areas outside restricted areas that require documentation under (a)(1);

(C) All areas outside of restricted areas where current and previous wastes have been buried as documented under Title 10, Code of Federal Regulations, Section 20.2108 incorporated by reference pursuant to Title 17, California Code of Regulations, Section 30253; and

(D) All areas outside of restricted areas which contain material such that, if the license expired, the licensee would be required to either decontaminate the area to unrestricted release levels or apply for approval for disposal under Title 10, Code of Federal Regulations, Section 20.2002 incorporated by reference pursuant to Title 17, California Code of Regulations, Section 30253.

(4) Records of the cost estimate performed for the decommissioning funding plan or of the amount certified for decommissioning, and records of the funding method used for assuring funds if either a funding plan or certification is used pursuant to Section 30195.1.

(b) Each person granted a specific license pursuant to Group 2 of this Subchapter shall, no less than 30 days before vacating any installation which may have been contaminated with radioactive material as a result of his activities, notify the department in writing of intent to vacate. This notice shall be submitted on form RHB 314 (12/95) entitled "Certificate of Disposition of Materials" which is incorporated by reference herein and shall address all requirements specified in Subsection (c).

(c) If a licensee does not submit an application for license renewal under section 30194, the licensee shall on or before the expiration date specified in the license:

(1) Terminate use of radioactive material;

(2) Remove radioactive contamination to the extent practicable except for those procedures covered by Subsection (d) of this section;

(3) Dispose of radioactive material in accordance with applicable regulations;

(4) Submit a completed form RHB 314 (12/95), which certifies information concerning the disposition of materials; and

(5) Conduct a radiation survey of the premises where the licensed activities were carried out and submit a report of the results of this survey, unless the licensee demonstrates that the premises are suitable for release for unrestricted use in some other manner. The licensee shall, as appropriate:

(A) Report levels of radiation in units of microrads per hour of beta and gamma radiation at one centimeter and gamma radiation at one meter from surfaces, and report levels of radioactivity, including alpha, in units of disintegrations per minute (or microcuries) per 100 square centimeters removable and fixed for surfaces, microcuries per milliliter for water, and picocuries per gram for solids such as soils or concrete; and

(B) Specify the survey instrument(s) used and certify that each instrument is properly calibrated and tested.

(d) In addition to the information required under Subsections (c)(4) and (5), the licensee shall submit a plan for completion of decommissioning if the procedures necessary to carry out decommissioning have not been previously approved by the Department and could increase potential health and safety impacts to workers or to the public such as in any of the following cases:

(1) Procedures would involve techniques not applied routinely during cleanup or maintenance operations; or

(2) Workers would be entering areas not normally occupied where surface contamination and radiation levels are significantly higher than routinely encountered during operation; or

(3) Procedures could result in significantly greater airborne concentrations of radioactive materials than are present during operation; or

(4) Procedures could result in significantly greater releases of radioactive material to the environment than those associated with operation.

(e) Procedures with potential health and safety impacts shall not be carried out prior to approval of the decommissioning plan.

(f) The proposed decommissioning plan, if required by Subsection (d) of this section or by license condition, shall include:

(1) Description of planned decommissioning activities;

(2) Description of methods used to assure protection of workers and the environment against radiation hazards during decommissioning;

(3) A description of the planned final radiation survey;

(4) The information required in (a) (3) and any other information required by (a) that is considered necessary to support the adequacy of the decommissioning plan for approval; and

(5) An updated detailed cost estimate for decommissioning, comparison of that estimate with present funds set aside for decommissioning, and plan for assuring the availability of adequate funds for completion of decommissioning.

(g) The proposed decommissioning plan will be approved by the Department if the Department determines that the decommissioning will be completed as soon as is reasonable and that the health and safety of workers and the public will be adequately protected.

(h) Upon approval of the decommissioning plan by the Department, the licensee shall complete decommissioning in accordance with the approved plan. As a final step in decommissioning, the licensee shall again submit the information required in Subsection (c)(5) and shall certify the disposition of accumulated wastes from decommissioning by completing form RHB 314 (12/95).

(i) If the information submitted under subsection (c)(5) or (h) does not adequately demonstrate that the premises are suitable for release for unrestricted use, the Department shall inform the licensee of the appropriate further actions required for termination of license.

(j) Each specific license continues in effect, beyond the expiration date if necessary, with respect to possession of residual radioactive material present as contamination until the Department notifies the licensee in writing that the license is terminated. During this time, the licensee shall:

(1) Limit actions involving radioactive material to those related to decommissioning; and

(2) Continue to control entry to restricted areas until they are suitable for release for unrestricted use and the Department notifies the licensee in writing that the license is terminated.

(k) Specific licenses shall be terminated by written notice to the licensee when the Department determines that:

(1) Radioactive material has been properly disposed;

(2) Reasonable effort has been made to eliminate residual radioactive contamination, if present; and

(3) A radiation survey has been performed which demonstrates that the premises are suitable for release for unrestricted use; or other information submitted by the licensee is sufficient to demonstrate that the premises are suitable for release for unrestricted use.

NOTE: Authority cited: Sections 100275, 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115230 and 115235, Health and Safety Code.

HISTORY

1. Renumbering of former section 30298 to section 30256 filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).
3. Amendment of section heading and section filed 10–16–95 as an emergency; operative 10–16–95 (Register 95, No. 42). A Certificate of Compliance must be transmitted to OAL by 2–13–96 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 10–16–95 order, including amendment of subsections (a), (c)(4) and (f)(3), new (f)(4) and subsection renumbering, and amendment of subsection (h) and NOTE, transmitted to OAL 2–9–96 and filed 3–25–96 (Register 96, No. 13).
5. Amendment of subsection (a) filed 9–9–97; operative 10–9–97 (Register 97, No. 37).

§ 17–30257. Bankruptcy Notification.

(a) Each licensee shall notify the Department in writing immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter or title 11 (Bankruptcy) of the United States Code (11 U.S.C.) by or against:

(1) Any licensee;

(2) An entity (as that term is defined in 11 U.S.C. 101 (14)) controlling the licensee or listing the license as property of the estate; or

(3) An affiliate (as that term is defined in 11 U.S.C. 101 (2)) of the license.

(b) This notification must indicate:

(1) The bankruptcy court in which the petition for bankruptcy was filed; and

(2) The date of the filing of the petition.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 28501, 28502, 25815, 25860, 25863, 25875 and 25876, Health and Safety Code.

HISTORY

1. Renumbering of former section 30299 to section 30257 filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30258. General Definitions.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer of article 2 and new article 2 (section 30258) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For former article 2, see Register 62, No. 1.
2. Amendment filed 1–22–76; effective thirtieth day thereafter (Register 76, No. 4).
3. Repealer filed 6–18–87; operative 7–18–87 (Register 87, No. 28).
4. Editorial correction deleting article heading (Register 94, No. 15).

§ 17–30265. Occupational Dose Limits.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer of article 3 and new article 3 (sections 30265 and 30266) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For prior history of article 3, see Register 62, No. 1.
2. Repealer of subsection (c) filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).
3. Amendment of article heading and repealer of section filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30266. Exposure of Individuals to Concentrations of Radioactive Material in Controlled Areas.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health ad Safety Code.

HISTORY

1. Amendment filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 8).
2. Change without regulatory effect of NOTE (Register 88, No. 6).
3. Repealer and amendment of NOTE filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30268. Permissible Levels of Radiation in Uncontrolled Areas.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Change without regulatory effect adding NOTE (Register 87, No. 11).
2. Change without regulatory effect of subsection (a) (Register 88, No. 6).
3. Editorial correction of printing error restoring inadvertantly deleted HISTORY 2 (Register 92, No. 34).
4. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30269. Concentrations in Effluents to Uncontrolled Areas.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Change without regulatory effect adding NOTE (Register 87, No. 11).
2. Change without regulatory effect of subsection (a) (Register 88, No. 6).
3. Editorial correction of printing error restoring inadvertently deleted section (Register 92, No. 34).
4. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30275. Surveys and Tests.

(a) Each user shall make or cause to be made such surveys as are necessary for compliance with all provisions of this regulation.

(b) Upon instruction from the Department or other official agency specifically designated by the Department, each user shall perform or cause to have performed, and shall permit the Department or said agency to perform, such reasonable tests as the Department or said agency deems necessary for the protection of life, health, or property, including, but not limited to, tests of:

(1) Sources of radiation.

(2) Facilities wherein sources of radiation are used or stored.

(3) Radiation detection and monitoring instruments.

(4) Other equipment and devices used in connection with utilization or storage of sources of radiation.

(c) Each sealed source other than sources listed below, shall be tested for contamination prior to initial use and for leakage at least every six months:

(1) Hydrogen–3 or krypton–85 sources.

(2) Sealed sources containing licensed radioactive material in gaseous form.

(3) Source material.

(4) Sources containing radioactive material with a half life of 30 days or less.

(5) Sources of beta– and/or gamma–emitting radioactive material with an activity of 100 microcuries or less.

(6) Sources of alpha and/or neutron–emitting radioactive material with an activity of 10 microcuries or less.

In the absence of a certificate from a transferor indicating that a test has been made prior to the transfer, the sealed source shall not be put into use until tested. If there is reason to suspect that a source might have been damaged, it shall be tested for leakage before further use. Contamination and leak tests shall be capable of determining the presence of 0.005 microcuries of removable contamination. When any contamination or leak test reveals the presence of 0.005 microcuries or more of removable contamination the user shall immediately withdraw the source from use and shall cause it to be decontaminated and repaired or to be disposed of in accordance with applicable provisions of Group 2 of this subchapter. Two copies of a report shall be filed, within 5 days of the test, with the Department or other official agency specifically designated by the Department, describing the source involved, the test results, and the corrective action taken.

(d) The test sample shall be taken from the surface of the source, or source holder, or from the surface of the device in which the source is stored or mounted and on which one might expect contamination to accumulate. Where sealed sources are permanently mounted in devices or equipment, alternate tests for contamination and leakage may be approved by the Department.

(e) Tests for contamination and leakage, decontamination, and repair of sealed sources shall be performed only by persons specifically authorized by the Department to do so in accordance with provisions of Group 2 of this subchapter.

(f) Records of leak tests shall be maintained as specified in United States, title 10, Code of Federal Regulations, part 20, subpart L as incorporated by reference in section 30253..

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer of article 4 and new article 4 (sections 30275 through 30281) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For former article 4, see Register 62, No. 1.
2. Change without regulatory effect adding NOTE (Register 87, No. 11).
3. Amendment filed 11–4–91; operative 12–4–91 (Register 92, No. 5).
4. Editorial correction of printing error restoring inadvertantly deleted article heading (Register 92, No. 34).
5. Repealer of article heading and amendment of subsection (f) filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30276. Personnel Monitoring.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Change without regulatory effect adding NOTE (Register 87, No. 11).
2. Amendment of subsection (a), new subsection (b) and subsection renumbering filed 10–10–91; operative 11–9–91 (Register 91, No. 52).
3. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30277. Bio–Assays and Medical Review.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendment filed 9–4–73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11–30–73.
2. Certificate Compliance filed 12–28–73 (Register 73, No. 52).
3. Change without regulatory effect adding NOTE (Register 87, No. 11).
4. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30278. Caution Signs and Labels.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendment filed 11–16–67; effective thirtieth day thereafter (Register 67, No. 46).
2. Change without regulatory effect adding NOTE (Register 87, No. 10).
3. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30278.1. Removal of Caution Labels from Empty Containers.

Each user shall, prior to disposal of an empty uncontaminated container to unrestricted areas, remove or deface the radioactive material label or otherwise clearly indicate that the container no longer contains radioactive materials.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health and Safety Code; and 10 CFR 20. 203 (f)(4) (43 FR 22171).

HISTORY

1. New section filed 3–6–87; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 87, No. 10).

§ 17–30279. Special Requirements for High Radiation Areas and Radiation Machines Capable of Producing High Radiation Areas.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendment filed 7–22–71; effective thirtieth day thereafter (Register 71, No. 30).
2. Change without regulatory effect adding NOTE (Register 87, No. 11).
3. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30280. Notices, Instructions, and Reports to Personnel.

NOTE: Authority cited: Section 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25826, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendment filed 8–19–75 as an emergency; effective upon filing (Register 75, No. 34). Approved by CAL/OSHA Standards Board 12–16–75.
2. Certificate of Compliance filed 11–28–75 (Register 75, No. 48).
3. Amendment filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).
4. Change without regulatory effect of subsections (b)(4) and (b)(6)(B) (Register 88, No. 6).
5. Renumbering of former section 30280 to new section 30255 filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30281. Storage and Control of Radioactive Material.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendments filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).

2. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30282. Procedures for Opening Packages.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 6–19–73; effective thirtieth day thereafter (Register 73, No. 25).
2. Change without regulatory effect adding NOTE (Register 87, No. 11).
3. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30285. General Requirement.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25812 and 25815, Health and Safety Code.

HISTORY

1. Repealer of article 5 and new article 5 (sections 30285, 30287, 30288) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For former article 5, see Register 62, No. 1.
2. Amendment filed 6–18–87; operative 7–18–87 (Register 87, No. 28).
3. Repealer of article heading and section f iled 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30287. Disposal by Release into Sanitary Sewerage Systems.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Change without regulatory effect adding NOTE (Register 87, No. 11).
2. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30289. Treatment or Disposal by Incineration.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 7–22–71; effective thirtieth day thereafter (Register 71, No. 30).
2. Change without regulatory effect adding NOTE (Register 87, No. 11).
3. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30293. Records.

(a) Each user shall keep records showing the receipt, transfer, and disposal of each source of radiation which is subject to licensure or registration pursuant to groups 1.5 and 2 of this subchapter as follows:

(1) The user shall retain each record of receipt of a source of radiation as long as the source of radiation is possessed and for three years following transfer or disposal of the source of radiation.

(2) The user who transferred the source of radiation shall retain each record of transfer for three years after each transfer unless a specific requirement in another part of the regulations in this subchapter dictates otherwise.

(3) The user who disposed of the radioactive material shall retain each record of disposal of the radioactive material until the Department terminates each license that authorizes disposal of the radioactive material.

(b) The user shall retain each record that is required by the regulations in this subchapter or by license condition for the period specified by the appropriate regulation or license condition. If a retention period is not otherwise specified by regulation or license condition, the record shall be retained until the Department terminates each license that authorizes the activity that is subject to the recordkeeping requirement.

(c) Records which shall be maintained pursuant to this subchapter may be the original or a reproduced copy or microform if such reproduced copy or microform is duly authenticated by authorized personnel and the microform is capable of producing a clear and legible copy after storage for the period specified by department regulations. The record may also be stored in electronic media with the capability for producing legible, accurate, and complete records during the required retention period. Records such as letters, drawings, specifications, shall include all pertinent information such as stamps, initials, and signatures. The licensee shall maintain adequate safeguards against tampering with and loss of records.

(d) If there is a conflict between the Department's regulations in this subchapter, license condition, or other written Department approval or authorization pertaining to the retention period for the same type of record, the retention period specified in the regulations in this subchapter for such records shall apply unless the Department, pursuant to 30104, has granted a specific exemption from the record retention requirements specified in the regulations in this subchapter.

(e) Prior to license termination, each licensee authorized to possess radioactive material with a half–life greater than 120 days, in an unsealed form, shall, if requested by the Department, forward the following records to the Department:

(1) Records of disposal of licensed material made under Title 10, Code of Federal Regulations, sections 20.2002, 20.2003, 20.2004, 20.2005, incorporated by reference in section 30253; and

(2) Records required by Title 10, Code of Federal Regulations section 20.2103(b)(4), incorporated by reference in section 30253.

(f) If licensed activities are transferred or assigned in accordance with section 30194(c), each licensee authorized to possess radioactive material, with a half–life greater than 120 days, in an unsealed form, shall transfer the following records to the new licensee and the new licensee will be responsible for maintaining these records until the license is terminated:

(1) Records of disposal of licensed material made under Title 10, Code of Federal Regulations, sections 20.2002, 20.2003, 20.2004, 20.2005, incorporated by reference in section 30253; and

(2) Records required by Title 10, Code of Federal Regulations, section 20.2103(b)(4), incorporated by reference in section 30243.

(g) Prior to license termination, each licensee shall, if requested by the Department, forward the records required by section 30256(a) to the Department.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115105, 115110, and 115235, Health and Safety Code.

HISTORY

1. New article 3.1 (sections 30293 and 30295) and section filed 9–9–97; operative 10–9–97 (Register 97, No. 37). For prior history, see Register 94, No. 28.

§ 17–30294. Reports of Theft or Loss of Sources of Radiation.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendment of subsections (a) and (c) filed 6–19–73; effective thirtieth day thereafter (Register 73, No. 25).
2. Amendment filed 1–22–76; effective thirtieth day thereafter (Register 76, No. 4).
3. Amendment filed 6–18–87; operative 7–18–87 (Register 87, No. 28).
4. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30295. Notification of Incidents.

(a) Each user shall notify the Department as soon as possible but not later than four hours after the discovery of an event that prevents immediate protective actions necessary to avoid exposures to radiation or radioactive materials that could exceed regulatory limits.

(b) Each user shall notify the Department within 24 hours after the discovery of any of the following events involving radiation or radioactive materials:

(1) An unplanned contamination event involving licensed radioactive material that:

(A) Requires access to the contaminated area by workers or the public, to be restricted for more than 24 hours by imposing additional radiological controls or by prohibiting entry into the area;

(B) Involves a quantity of material greater than five times the lowest annual limit on intake specified in Appendix B of Title 10, Code of Federal Regulations, part 20, incorporated by reference in section 30253 of this regulation for the material; and

(C) Has access to the area restricted for a reason other than to allow isotopes with a half–life of less than 24 hours to decay prior to decontamination.

(2) An event in which equipment is disabled or fails to function as designed when:

(A) The equipment is required by regulation or license condition to prevent releases exceeding regulatory limits, to prevent exposures to radiation and radioactive materials exceeding regulatory limits, or to mitigate the consequences of an accident;

(B) The equipment is required to be available and operable when it is disabled or fails to function; and

(C) No redundant equipment is available and operable to perform the required safety function.

(3) An event that requires unplanned medical treatment at a medical facility of an individual with spreadable radioactive contamination on the individual's clothing or body.

(4) An unplanned fire or explosion damaging any licensed material or any device, container, or equipment containing licensed material when:

(A) The quantity of material involved is greater than five times the lowest annual limit on intake specified in Appendix B of Title 10, Code of Federal Regulations, part 20, incorporated by reference in section 30253 of this regulation for the material; and

(B) The damage affects the integrity of the licensed material or its container.

(C) Reports made by users in response to the requirements of this section shall be made as follows:

(1) Users shall make reports required by subsections (a) and (b) of this section by telephone to the Department. To the extent that the information is available at the time of notification, the information provided in these reports shall include:

(A) The caller's name and call back telephone number;

(B) A description of the event, including date and time;

(C) The exact location of the event;

(D) The isotopes, quantities, and chemical and physical form of the licensed material involved; and

(E) Any personnel radiation exposure data available.

(2) Written report. Each user who makes a report required by subsection (a) or (b) of this section shall submit a written follow–up report within 30 days of the initial report. These written reports shall be sent to the Department. The reports shall include the following:

(A) A description of the event, including the probable cause and the manufacturer and model number (if applicable) of any equipment that failed or malfunctioned;

(B) The exact location of the event;

(C) The isotopes, quantities, and chemical and physical form of the licensed material involved;

(D) Date and time of the event;

(E) Corrective actions taken or planned and the results of any evaluation or assessment; and

(F) The extent of exposure of individuals to radiation or to radioactive materials without identification of individuals by name.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115105, 115110, and 115235, Health and Safety Code.

HISTORY

1. New section filed 9–9–97; operative 10–9–97 (Register 97, No. 37). For prior history, see Register 94, No. 28.

§ 17–30297. Reports of Overexposures and Excessive Levels and Concentrations.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New subsections (c) and (d) filed 5–13–69; effective thirtieth day thereafter (Register 69, No. 20).
2. Amendment of subsections (a) and (b) filed 10–12–72; effective thirtieth day thereafter (Register 72, No. 42).
3. Amendment of subsection (a) filed 1–22–76; effective thirtieth day thereafter (Register 76, No. 4).
4. Amendment of subsection (a) filed 6–18–87; operative 7–18–87 (Register 87, No. 28).
5. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30298. Vacating Installations.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Change without regulatory effect adding NOTE (Register 87, No. 11).
2. Renumbering of former section 30298 to new section 30256 filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30299. Bankruptcy Notification.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 28501, 28502, 25815, 25860, 25863, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 4–19–91; operative 5–19–91 (Register 91, No. 20).
2. Renumbering of former section 30299 to new section 30257 filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30305. General Provisions.

(a)(1) This article pertains to use of X–rays in medicine, dentistry, osteopathy, chiropractic, podiatry, and veterinary medicine. The provisions of this article are in addition to, and not in substitution for, other applicable provisions of this regulation and of Group 1 of this subchapter.

(2) Any existing machine or installation need not be replaced or substantially modified to conform to the requirements of this regulation pro-

[The next page is 143.]

vided that the user demonstrates to the Department's satisfaction achievement of equivalent protection through other means.

(3) No person shall make, sell, lease, transfer, lend, or install X–ray or fluoroscopic equipment or the supplies used in connection with such equipment unless such supplies and equipment, when properly placed in operation or properly used, will meet the requirements of this regulation. This includes responsibility for the delivery of cones or collimators, filters, adequate timers and fluoroscopic shutters (where applicable).

(4) For X–ray equipment manufactured after July 31, 1974, the user shall provide sufficient maintenance to keep the equipment in compliance with all applicable radiation protection sections of the Code of Federal Regulations, Title 21, Chapter 1, Subchapter J, Part 1020, Sections 1020.30, 1020.31, and 1020.32.

(5) Each installation shall be provided with such primary barriers and/or secondary barriers as are necessary to ensure compliance with Sections 30265 and 30268. Special requirements are contained in Title 24, California Code of Regulations, Sections 2–9102 through 2–9105.

(b) Use.

(1) The user shall assure that all X–ray equipment under his jurisdiction is operated only by persons adequately instructed in safe operating procedures and competent in safe use of the equipment.

(2) The user shall provide safety rules to each individual operating X–ray equipment under his control, including any restrictions of the operating technique required for the safe operation of the particular X–ray apparatus, and require that the operator demonstrate familiarity with these rules.

(3) No user shall operate or permit the operation of X–ray equipment unless the equipment and installation meet the applicable requirements of these regulations and are appropriate for the procedures to be performed.

(4) Deliberate exposure of an individual to the useful beam for training or demonstration purposes shall not be permitted unless there is also a medical or dental indication for the exposure and the exposure is prescribed by a physician or dentist.

(c) Areas or rooms that contain permanently installed X–ray machines as the only source of radiation shall be posted with a sign or signs

CAUTION
X–RAY

in lieu of other signs required by the United States, title 10, Code of Federal Regulations, part 20, section 20.1902 as incorporated by reference in section 30253.

(d) High radiation areas caused by radiographic and fluoroscopic machines used solely in the healing arts and which are in compliance with the access control and signal requirements of title 24, California Code of Regulations, sections 9102 through 9105 shall be exempt from the access control and signal requirements of the United States, title 10, Code of Federal Regulations, part 20, section 20.1601 as incorporated by reference in section 30253.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

HISTORY

1. Amendment filed 3–5–71; effective thirtieth day thereafter. Approved by State Building Standards Commission 2–26–71. (Register 71, No. 10).
2. Renumbering and amendment filed 9–4–73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11–30–73.
3. Certificate of Compliance filed 12–28–73 (Register 73, No. 52).
4. Amendment filed 6–24–80; effective thirtieth day thereafter (Register 80, No. 26).
5. New subsection (a)(5) and repealer of subsection (c) filed 6–18–87; operative 7–18–87 (Register 87, No. 28).
6. Amendment of article heading and new subsections (c) and (d) filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30306. Definitions.

(a) "Automatic exposure control" means a device which automatically controls one or more technique factors in order to obtain at a preselected location(s) a required quantity of radiation.

(b) "Cineradiography" means the making of a motion picture record of the successive images appearing on a fluorescent screen.

(c) "Contact therapy" means irradiation of accessible lesions usually employing a very short source–skin distance and potentials of 40–50 KV.

(d) "Dead–man switch" means a switch so constructed that a circuit–closing contact can only be maintained by continuous pressure by the operator.

(e) "Diagnostic–type tube housing" means an X–ray tube housing so constructed that the leakage radiation measured at a distance of 1 meter from the source cannot exceed 100 milliroentgens in 1 hour when the tube is operated at its maximum continuous rate of current for the maximum rated tube potential.

(f) "Filter" means material placed in the useful beam to absorb preferentially the less penetrating radiations.

(g) "Interlock" means a device for precluding access to an area of radiation hazard either by preventing entry or by automatically removing the hazard.

(h) "Leakage radiation" means all radiation coming from within the tube housing except the useful beam.

(i) "Protective barrier" means a barrier of attenuating materials used to reduce radiation exposure.

(j) "Primary protective barrier" means a barrier sufficient to attenuate the useful beam to the required degree.

(k) "Scattered radiation" means radiation that, during passage through matter, has been deviated in direction.

(*l*) "Secondary protective barrier" means a barrier sufficient to attenuate stray radiation to the required degree.

(m) "Shutter" means a device, generally of lead, fixed to an X–ray tube housing to intercept the useful beam.

(n) "Stray radiation" means radiation not serving any useful purpose. It includes leakage and scattered radiation.

(o) "Therapeutic–type tube housing" means,

(1) For X–ray therapy equipment not capable of operating at 500 kVp or above, an X–ray tube housing so constructed that the leakage radiation at a distance of 1 meter from the source does not exceed 1 roentgen in an hour when the tube is operated at its maximum rated continuous current for the maximum rated tube potential.

(2) For X–ray therapy equipment capable of operating at 500 kVp or above, an X–ray tube housing so constructed that the leakage radiation at a distance of 1 meter from the source does not exceed either 1 roentgen in an hour or 0.1 percent of the useful beam dose rate at 1 meter from the source, whichever is greater, when the machine is operated at its maximum rated continuous current for the maximum rated accelerating potential.

(3) In either case, small areas of reduced protection are acceptable provided the average reading over any 100 square centimeters area at 1 meter distance from the source does not exceed the values given above.

(p) "Useful beam" means that part of the radiation which passes through the window, aperture, cone, or other collimating device of the tube housing. (T17–30306–T24).

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

HISTORY

1. Renumbering and amendment filed 9–4–73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11–30–73.
2. Certificate of Compliance filed 12–28–73 (Register 73, No. 52).
3. Amendment of subsection (e) filed 6–18–87; operative 7–18–87 (Register 87, No. 28).

§ 17–30307. Fluoroscopic Installations

(a) Equipment.

(1) The tube housing shall be of diagnostic type.

(2) The target–to–panel or target–to–table top distance should not be less than 18 inches and shall not be less than 12 inches.

(3) The total filtration permanently in the useful beam shall not be less than 2.5 millimeters aluminum equivalent. This requirement may be assumed to have been met if the half–value layer is not less than 2.5 millimeters aluminum at normal operating voltages.

(4) The equipment shall be so constructed that the entire cross–section of the useful beam is attenuated by a primary barrier. This barrier is usually the viewing device, either a conventional fluoroscopic screen or an image intensification mechanism.

(A) The lead equivalent of the barrier of conventional fluoroscopes shall be at least 1.5 millimeters for equipment capable of operating up to 100 kVp, at least 1.8 millimeters for equipment whose maximum operating potential is greater than 100 kVp and less than 125 kVp, and at least 2.0 millimeters for equipment whose maximum operating potential is 125 kVp or greater. Special attention must be paid to the shielding of image intensifiers so that neither the useful beam nor scattered radiation from the intensifier can produce a radiation hazard to the operator or personnel. With the fluorescent screen 14 inches (35 cm) from the panel or table top, the exposure rate 2 inches 5 cm) beyond the viewing surface of the screen shall not exceed 30 mR/hr for each R per minute at the table top with the screen in the useful beam without a patient and with the fluoroscope operating at the highest potential employed.

(B) Collimators shall be provided to restrict the size of the useful beam to less than the area of the barrier. For conventional fluoroscopes this requirement is met if, when the adjustable diaphragm is opened to its fullest extent, an unilluminated margin is left at all edges of the fluorescent screen with the screen centered in the beam at a distance of 35 cm (14 inches) from the panel or table top.

For image intensified fluoroscopy, shutters shall be provided which can be adjusted to restrict the X–ray field to the visible portion of the image receptor during fluoroscopy. For systems employing rectangular X–ray fields and circular image receptors, this requirement is met if the collimated beam forms a square which circumscribes, and is tangent to, the circular margin of the image receptor.

(C) The tube mounting and the carrier shall be so linked together that the carrier always intercepts the entire useful beam. The X–ray exposure shall automatically terminate when the carrier is removed from the useful beam.

(D) Collimators and adjustable diaphragms or shutters to restrict the size of the useful beam shall provide the same degree of protection as is required of the tube housing.

(5) The exposure switch shall be of the dead–man type.

(6) Each fluoroscopic unit shall be equipped with a manual–reset cumulative timing device, activated by the exposure switch, which will either indicate elapsed exposure time by a signal audible to the fluorocopist or turn off the apparatus when the total exposure exceeds a predetermined limit not exceeding five minutes in one or a series of exposures.

(7) Useful beam exposure rate.

(A) All fluoroscopic equipment. For routine fluoroscopy, the exposure rate measured at the point where the center of the useful beam enters a typical patient shall be as low as is practicable and shall not exceed 5 roentgens per minute under the conditions specified herein. This limit shall not apply during magnification procedures or the recording of fluoroscopic images where higher exposure rates are required. Compliance with this paragraph shall be determined using the measuring specifications of Section 30307(a)(7)(D), plus the following procedures when the automatic exposure rate control is used:

1. The useful beam exposure rate shall be measured with a phantom equivalent to 9 inches of water or 7 7/8 inches of lucite, intercepting the entire useful beam.

2. If the X–ray source is below the table, the X–ray exposure rate shall be measured with the nearest part of the imaging assembly located at 14 inches above the table top.

3. The field size at the point of exposure rate measurement shall be at least 6 1/4 square inches in area in the plane perpendicular to the central ray.

(B) Fluoroscopic equipment manufactured after August 1, 1974, and equipped with automatic exposure rate controls. Fluoroscopic equipment which is provided with automatic exposure rate control shall not be operable at any combination of tube potential and current which will result in an exposure rate in excess of 10 roentgens per minute at the point where the center of the useful beam enters the patient, except during recording of fluoroscopicimages, or when an optional high level control is provided. When so provided, the equipment shall not be operable at any combination of tube potential and current which will result in an exposure rate in excess of 5 roentgens per minute at the point where the center of the useful beam enters the patient unless the high level control is activated. Special means of activation of high level controls shall be required. The high level control shall only be operable when continuous manual activation is provided by the operator. A continuous signal audible to the fluoroscopist shall indicate that the high level control is being employed.

(C) Fluoroscopic equipment manufactured after August 1, 1974, without automatic exposure rate controls. Fluoroscopic equipment which is not provided with automatic exposure rate control shall not be operable at any combination of tube potential and current which will result in an exposure rate in excess of 5 roentgens per minute at the point where the center of the useful beam enters the patient, except during recording of fluoroscopic images, or when an optional high level control is activated. Special means of activation of high level controls shall be required. The high level control shall only be operable when continuous manual activation is provided by the operator. A continuous signal audible to the fluoroscopist shall indicate that the high level control is being employed.

(D) Measuring useful beam exposure rate compliance.

1. If the X–ray tube is below the table, the exposure rate shall be measured 1 centimeter above the tabletop or cradle.

2. If the X–ray tube is above the table, the exposure rate shall be measured at 30 centimeters above the tabletop with the end of the beam–limiting device or spacer positioned as closely as possible to the point of measurement.

3. In a C–arm type of fluoroscope, the exposure rate shall be measured at 30 centimeters from the input surface of the fluoroscopic imaging assembly.

(8) Mobile fluoroscopic equipment shall meet the requirements of this section where applicable, except that:

(A) Inherent provisions shall be made so that the machine is not operated at a source–skin distance of less than 30 cm (12 inches).

(B) Image intensification shall always be provided. Conventional fluoroscopic screens shall not be used.

(C) It shall be impossible to operate a machine when the collimating cone or diaphragm is not in place.

(D) It shall be impossible to energize the useful beam of a mobile fluoroscope unless the entire useful beam is intercepted by the image receptor.

(9) Devices which indicate the X–ray tube potential and current shall be provided, and should be located in such a manner that the operator may monitor the tube potential and current during fluoroscopy.

(10) A shielding device of at least 0.25 millimeters lead equivalent shall be provided for covering the bucky–slot during fluoroscopy.

(11) Whenever practicable, protective drapes, or hinged or sliding panels, of at least 0.25 millimeters lead equivalent shall be provided between the patient and the fluoroscopist to intercept scattered radiation which would otherwise reach the fluoroscopist and others near the machine. Such devices shall not substitute for wearing of a protective apron.

(b) Operating Procedures.

(1) Protective aprons of at least 0.25 mm lead equivalent shall be worn in the fluoroscopy room by each person, except the patient, whose body is likely to be exposed to 5 mR/hr or more.

(2) On fluoroscopes with automatic exposure controls the operator shall monitor the tube current and potential at least once each week to ascertain that they are in their usual ranges for a given set of operating parameters. This requirement may be met by adjusting the controls to usual settings for fluoroscoping an average patient, and using a phantom of any suitable material with attenuation roughly equivalent to six to ten inches of water. Whenever the monitored tube current or potential vary in a way which could increase the patient X–ray exposure rate by more than 25% over the latest exposure rate measurement required by Section 30307(b)(3), the cause(s) for the change shall be determined promptly and the patient exposure rate shall be remeasured. On fluoroscopes with manual exposure control only, the operator shall monitor the tube current and potential at least once each day during use to ascertain that they are within the normal ranges used by the facility. A written log shall be kept of all monitored readings and shall include at least the tube current and potential, the date, identification of the fluoroscope, and name of the person who did the monitoring. Records of all monitored readings shall be preserved at the facility for at least three years.

(3) Measurements of the table top or patient exposure rate shall be made at least once each year for units with automatic exposure control, and at least once each 3 years for units without automatic exposure control, and immediately following alteration or replacement of a major component, such as the X–ray tube, the exposure controls, the imaging assembly, and the power source.

(4) On cineradiography equipment, the exposure rates to which patients are normally subjected shall be determined at least once each year, and immediately following alterations or replacement of a major component, such as the X–ray tube, the exposure controls, the imaging assembly, and the power source.

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

HISTORY

1. Renumbering and amendment filed 9–4–73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11–30–73.
2. Certificate of Compliance filed 12–28–73 (Register 73, No. 52).
3. Amendment filed 6–24–80; effective thirtieth day thereafter (Register 80, No. 26).
4. Amendment filed 6–18–87; operative 7–18–87 (Register 87, No. 28).

§ 17–30308. Radiographic Installations (Other Than Dental and Veterinary Medicine).

(a) Equipment.

(1) The tube housing shall be of diagnostic type.

(2) Suitable devices (diaphragms, cones, adjustable collimators), capable of restricting the useful beam to the area of clinical interest shall be provided to define the beam and shall provide the same degree of attenuation as that required of the tube housing. Such devices shall be calibrated in terms of the size of the projected useful beam at specified source–film distances. For chest photofluorographic equipment, the collimator shall restrict the beam to dimensions no greater than those of the fluorographic screen. The field size indication on adjustable collimators shall be accurate to within 2 percent of the source–film distance. The light field shall be aligned with the X–ray field with the same degree of accuracy.

(3) For equipment manufactured prior to August 1, 1974, the aluminum equivalent of the total filtration in the useful beam shall be not less than that shown in Table 1:

Table 1

Operating kVp	*Minimum Total Filter (Inherent plus added)*
Below 50 kVp	0.5 mm aluminum
50–70 kVp	1.5 mm aluminum
Above 70 kVp	2.5 mm aluminum

For equipment manufactured on or after August 1, 1974, the half–value layer (HVL) of the useful beam for a given X–ray tube potential shall not be less than the appropriate value specified in Table 2.

Table 2

	X–ray tube voltage (kilovolt peak)	
Designed *Operating Range*	*Measured Minimum HVL*	*Minimum HVL (mm of Al)*
Below 50	30	0.3
	40	0.4
	49	0.5
50 to 70	50	1.2
	60	1.3
	70	1.5
Above 70	70	2.1
	80	2.3
	90	2.5
	100	2.7
	110	3.0
	120	3.2
	130	3.5
	140	3.8
	150	4.1

(4) A device shall be provided to terminate the exposure after a pre–set time or exposure.

(5) A dead–man type of exposure switch shall be provided and so arranged that it cannot be conveniently operated outside a shielded area, except that exposure switches for "spot film" devices used in conjunction with fluoroscopic tables are excepted from this shielding requirement.

(6) The control panel shall include a device (usually a milliammeter) to give positive indication of the production of X–rays whenever the X–ray tube is energized.

(7) The control panel shall include devices (labeled control settings and/or meters) indicating the physical factors (such as kVp, mA, exposure time, or whether timing is automatic) used for the exposure.

(8) Machines equipped with beryllium window X–ray tubes shall contain keyed filter interlock switches in the tube housing and suitable indication on the control panel of the added filter in the useful beam if the total filtration permanently in the useful beam is less than 0.5 mm aluminum equivalent. The total filtration permanently in the useful beam shall be clearly indicated on the tube housing.

(9) The aluminum equivalent of the table top when a cassette tray is used under the table top, or the aluminum equivalent of the front panel of the vertical cassette holder, shall not be more than 1 mm at 100 kVp.

(b) Operating Procedures.

(1) No individual occupationally exposed to radiation shall be permitted to hold patients during exposures except during emergencies, nor shall any individual be regularly used for this service. If the patient must be held by an individual, that individual shall be protected with appropriate shielding devices such as protective gloves and apron and he shall be so positioned that no part of his body will be struck by the useful beam.

(2) Only individuals required for the radiographic procedure shall be in the radiographic room during exposure; and, except for the patient, all such persons shall be equipped with appropriate protective devices.

(3) The radiographic field shall be restricted to the area of clinical interest.

(4) Gonadal shielding of not less than 0.5 mm lead equivalent shall be used for patients who have not passed the reproductive age during radiographic procedures in which the gonads are in the direct beam, except for cases in which this would interfere with the diagnostic procedure.

(5) The operator shall stand behind the barrier provided for his protection during radiographic exposures.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

HISTORY

1. Renumbering and amendment filed 9–4–73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11–30–73.
2. Certificate of Compliance filed 12–28–73 (Register 73, No. 52).
3. Amendment filed 6–18–87; operative 7–18–87 (Register 87, No. 28).

§ 17–30309. Special Requirements for Mobile Radiographic Equipment.

(a) Equipment.

(1) All requirements of Section 30308(a) apply except 30308 (a)(5) and 30308 (a)(9).

(2) The exposure control switch shall be of the dead–man type and shall be so arranged that the operator can stand at least 6 feet from the patient and well away from the useful beam.

(3) Inherent provisions shall be made so that the equipment is not operated at source–skin distances of less than 12 inches.

(b) Operating Procedures.

(1) All provisions of Section 30308(b) apply except 30308(b)(5).

(2) The target–to–skin distance shall be not less than 12 inches.

(3) Personnel monitoring shall be required for all individuals operating mobile X–ray equipment.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

HISTORY

1. Amendment filed 3–5–71; effective thirtieth day thereafter. Approved by State Building Standards Commission 2–26–71. (Register 71, No. 10).
2. Renumbering and amendment filed 9–4–73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11–30–73.
3. Certificate of Compliance filed 12–28–73 (Register 73, No. 52).
4. Amendment of subsection (b)(1) filed 6–18–87; operative 7–18–87 (Register 87, No. 28).

§ 17–30310. Special Requirements for Chest Photofluorographic Installations.

(a) Equipment.

(1) All provisions of Section 30308 (a) apply.

(2) A collimator shall restrict the useful beam to the area of the photofluorographic screen.

(3) The incident X–ray exposure where the central ray enters the patient shall not exceed 200 milliroentgens per radiograph for the average patient, and should not exceed 100 milliroentgens per radiograph.

(b) Operating Procedures.

(1) All provisions of Section 30308(b) apply.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

HISTORY

1. Amendment filed 3–5–71; effective thirtieth day thereafter. Approved by State Building Standards Commission 2–26–71 (Register 71, No. 10).
2. Renumbering and amendment filed 9–4–73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11–30–73.
3. Certificate of Compliance filed 12–28–73 (Register 73, No. 52).
4. Amendment filed 6–18–87; operative 7–18–87 (Register 87, No. 28).

§ 17–30311. Dental Radiographic Installations.

(a) Equipment.

(1) The tube housing shall be of diagnostic type.

(2) Diaphragms or cones shall be used for collimating the useful beam and shall provide the same degree of protection as the housing.

(A) For intra–oral radiography the useful beam shall be restricted to a diameter of not more than 7 cm (2.75 inches) at the surface of the skin.

(3) For intra–oral film exposures a cone or spacer frame shall provide a target–to–skin distance of not less than 18 cm (7 inches) with apparatus operating above 50 kVp or 10 cm (4 inches) with apparatus operating at 50 kVp or below.

(4) The total filtration permanently in the useful beam shall be equivalent to at least 0.5 millimeters of aluminum for equipment operating below 50 kVp, equivalent to at least 1.5 millimeters of aluminum for equipment operating from 50 kVp through 70 kVp, and equivalent to at least 2.5 millimeters of aluminum for equipment operating above 70 kVp.

(5) A device shall be provided to terminate the exposure after a pre–set time or exposure.

(6) The exposure control switch shall be of the dead–man type. If a recycling timer is employed it shall not be possible to make a repeat exposure without release of the exposure switch to reset the timer.

(7) Each installation shall be provided with a protective barrier for the operator or shall be so arranged that the operator can stand at least 6 feet from the patient and well away from the useful beam.

(8) Mechanical support of the tube head and cone shall maintain the exposure position without drift or vibration.

(9) Panoramic installations. This part applies to those installations which consist of a tube head with a collimator providing a narrow useful beam and an extra oral film carrier which are interlocked in their motion about the patient.

(A) All provisions of Section 30311 (a) apply except 30311 (a)(2)(A), 30311 (a)(3), 30311 (a)(10).

(10) Cephalometric installations.

(A) All provisions of Section 30311 (a) apply except 30311 (a)(2)(A), 30311 (a)(3), and 30311 (a)(9).

(B) The radiographic field shall be restricted to the area of the image receptor.

(11) The X–ray control panel shall include means for indicating X–ray tube voltage (kVp), tube current (mA), and exposure duration. The tube voltage and current shall be indicated by meters or by control settings. A milliammeter, a light or other device shall give clear and distinct visual or audible indication to the operator when X–rays are being produced.

(b) Operating Procedures.

(1) No individual occupationally exposed to radiation shall be permitted to hold patients or films during exposure, nor shall any individual be regularly used for this service.

(2) During each exposure, the operator shall stand at least 6 feet from the patient or behind a protective barrier.

(3) Only the patient shall be in the useful beam.

(4) Neither the tube housing nor the position indicating device (cone, cylinder) shall be hand–held during exposure.

(5) Fluoroscopy shall not be used in dental examinations.

(6) Each patient undergoing dental radiography shall be draped with a protective apron of not less than 0.25 millimeter lead–equivalent to cover the gonadal area.

(7) For intra–oral and cephalometric radiography the X–ray beam and the film shall be aligned very carefully with the area to be radiographed.

(8) Only persons required for the radiographic procedure shall be in the radiographic room during exposures.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

HISTORY

1. Renumbering and amendment filed 9–4–73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11–30–73.
2. Certificate of Compliance filed 12–28–73 (Register 73, No. 52).
3. Editorial correction (Register 74, No. 6).
4. Amendment filed 6–24–80; effective thirtieth day thereafter (Register 80, No. 26).
5. Amendment filed 6–18–87; operative 7–18–87 (Register 87, No. 28).

§ 17–30312. Therapeutic X–Ray Installations.

(a) Equipment.

(1) The tube housing shall be of therapeutic type.

(2) For equipment installed on or before August 1, 1979, permanent diaphragms or cones used for collimating the useful beam shall afford the same degree of protection as the housing. Adjustable or removable beam–defining diaphragms or cones shall transmit not more than 5 percent of the useful beam obtained at the maximum kilovoltage and with maximum treatment filter.

(3) For equipment installed after August 1, 1979, permanent beam–defining devices or diaphragms shall afford the same degree of protection as the housing. Adjustable or interchangeable beam–defining devices shall transmit no more than 2 percent of the useful beam for the portion of the useful beam which is to be attenuated by the beam limiting device. Measurements shall be averaged over an area up to but not exceeding 100 square centimeters at the normal treatment distance.

(4) Filters shall be secured in place to prevent them from dropping out during treatment. A filter indication system shall be used on all therapy machines using interchangeable filters. It shall indicate, from the control panel, or from the control station, the presence or absence of any filter except compensating filters, and it shall be designed to permit easy identification of the filter in place. The filter slot shall be so constructed that the radiation escaping through it does not exceed 1 roentgen per hour at 1 meter, or, if the patient is likely to be exposed to radiation escaping from the slot, 30 roentgens per hour at 5 centimeters from the external opening. Each interchangeable filter shall be marked with its thickness and material.

(5) The X-ray tube shall be so mounted that it cannot turn or slide with respect to the aperture.

(6) Means shall be provided to immobilize the tube housing during stationary portal treatment.

(7) A suitable exposure control device such as an automatic timer, exposure meter, or dose meter shall be provided to terminate the exposure after a preset time interval or preset exposure or dose limit. A timer shall be provided to terminate the exposure after a preset time regardless of what other exposure limiting devices are present. Means shall be provided for the operator to terminate the exposure at any time.

(8) Equipment utilizing shutters to control the useful beam shall have a shutter position indicator on the control.

(9) An easily discernible indicator which shows whether or not X-rays are being produced shall be on the control panel.

(10) Mechanical and/or electrical stops shall be provided on X-ray machines capable of operating at 150 kVp or above to insure that the useful beam is oriented only toward primary barriers.

(11) When the relationship between the beam interceptor (when present) and the useful beam is not permanently fixed, mechanical or electrical stops shall be provided to insure that the beam is oriented only toward primary barriers.

(b) Operating Procedures.

(1) When a patient must be held in position for radiation therapy, mechanical supporting or restraining devices shall be used.

(2) No patient other than the one being treated shall be in the treatment room during exposure.

(3) No person other than the patient shall be in the treatment room when the tube is operated at potentials exceeding 150 kVp. At operating potentials of 150 kVp or below, persons other than the patient and operator may be in the treatment room for good reason but only if they are adequately protected and their radiation exposure is appropriately monitored.

(4) A calibration of the output of each radiation therapy system shall be performed before the system is first used for irradiation of a patient, and thereafter at intervals not to exceed 24 months. Therapy equipment shall not be used for any therapy treatments except at those combinations of effective energy, field size, and treatment distance for which the equipment has been calibrated. The calibration shall be performed by or under the direct supervision of a person who has been determined by the Department to have adequate training, experience and knowledge in radiation therapy physics, and who shall be present at the facility during such calibration. After any change which might significantly alter the output, spatial distribution, or other characteristics of the therapy beam, the parameters which might be affected shall be measured.

(A) For therapy systems operating at potentials above 500 kVp, the determinations included in the calibration shall be provided in sufficient detail so that the absorbed dose in tissue in the useful beam may be calculated to within 5 percent. The calibration shall include, but shall not be limited to, the following determinations:

1. Verification that the equipment is operating in compliance with the design specifications concerning the light localizer, the side light and back-pointer alignment with the isocenter when these specifications are known and applicable, variation in the axis of rotation for the table, gantry and jaw system, and beam flatness and symmetry at specified depths.

2. The relative dose at various depths in a tissue equivalent phantom for each effective energy and the ranges of field sizes and treatment distances used for radiation therapy.

3. The congruence between the radiation field and the field indicated by the localizing device.

4. The uniformity of the radiation field and its dependency upon the direction of the useful beam.

5. The absolute dose per unit time and dose per monitor setting.

(B) For therapy systems operating at potentials between 150 kVp and 500 kVp inclusive, the calibration shall include, but shall not be limited to, the following determinations:

1. The exposure rates and/or dose rates for each combination of field size, technique factors, filter, and treatment distance used.

2. The degree of congruence between the radiation field and the field indicated by the localizing device if such device is present.

3. An evaluation of the uniformity of the radiation field symmetry for the field sizes used, and any dependence upon tube housing assembly orientation.

(5) All new installations and existing installations not previously surveyed shall have a radiation protection survey performed by or under the direction of a person determined by the Department to have adequate knowledge and training to advise regarding radiation protection needs, to measure ionizing radiation and to evaluate safety techniques. If the survey shows that supplementary shielding is required a resurvey shall be performed after its installation. In addition, a resurvey shall be made after every change which might decrease radiation protection significantly. The surveyor shall report his findings in writing to the user. The report shall indicate whether or not the installation is in compliance with all applicable radiation protection requirements of this section. The user shall report the findings of the survey in writing to the Department within 15 days of his receipt of the survey report.

(6) The exposure rate or dose rate of the useful beam and the size and shape of the useful beam shall be known with reasonable certainty at all times during operation of the radiation therapy apparatus for medical purposes.

(7) Spot checks shall be performed at least once each week for therapy systems operating at potentials above 500 kVp, and at least once each month for therapy systems operating at 500 kVp or below.

(A) The measurements taken during spot checks shall demonstrate the degree of consistency of the operating characteristics which can affect the radiation output of the system or the radiation delivered to a patient during a therapy procedure.

(B) For systems in which the calibrating person believes beam quality can vary significantly, spot checks shall include beam quality checks.

(C) The spot check procedures shall be in writing and shall have been developed or approved by the individual who made the most recent calibration of the system pursuant to Section 30312(b)(4). The written spot check procedures shall specify when measurements and determinations indicate an inconsistency or potential change in radiation output. When more than the minimum frequency of spot checking is necessary, the spot check procedures shall specify the frequency at which spot checks are to be performed.

(D) When spot check results are erratic or inconsistent with calibration data, the person who designed the spot check procedures, or a person of equivalent competence, shall be consulted immediately and the reason(s) for the inconsistency corrected before the system is used for patient irradiation.

(8) Calibration of the therapy beam shall be performed with a measurement instrument which has been calibrated within the preceding two years directly, or through no more than one exchange, at the National Institute of Standards and Technology, or facility determined acceptable by the Department. In addition, indirect spot checks or intercomparisons of measurement instruments with secondary standards shall be made at least each six months.

(9) Reports of each radiation safety survey spot check and calibration performed pursuant to this section shall be maintained at the facility for at least three years. A copy of the treatment data developed from the latest calibration shall be available for use by the operator at the treatment control station.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

HISTORY

1. Renumbering and amendment filed 9–4–73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11–30–73.
2. Certificate of Compliance filed 12–28–73 (Register 73, No. 52).
3. Amendment of subsection (c)(5) filed 12–12–75; effective thirtieth day thereafter (Register 75, No. 50).
4. Amendment filed 6–24–80; effective thirtieth day thereafter (Register 80, No. 26).
5. Amendment filed 6–18–87; operative 7–18–87 (Register 87, No. 28).
6. Change without regulatory effect amending subsection (b)(7)(C) and (b)(8) filed 11–1–91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).

§ 17–30313. Special Requirements for X–Ray Therapy Equipment Operated at Potentials of 50 kV and Below.

(a) Equipment.

(1) All provisions of Section 30312(a) apply.

(2) A therapeutic–type protective tube housing shall be used. Contact therapy machines shall meet the additional requirement that the leakage radiation at 2 inches from the surface of the housing not exceed 0.1 R/hr.

(3) Automatic timers shall be provided which will permit accurate presetting and determination of exposures as short as one second.

(b) Operating Procedures.

(1) All provisions of Section 30312(b) apply except 30312(b)(1) and 30312(b)(7).

(2) In the therapeutic application of apparatus constructed with beryllium or other low–filtration windows adequate shielding shall be required to protect against unnecessary exposure from the useful beam, and special safeguards are essential to avoid accidental exposures to the useful beam. There shall be on the control panel some easily discernible device which will give positive information as to whether or not the tube is energized.

(3) Machines having an output of more than 1,000 roentgens per minute at any accessible place shall not be left unattended without the power being shut off at the primary disconnecting source.

(4) If the X–ray tube of a contact therapy machine is hand–held during irradiation, the operator shall wear protective gloves and apron.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

HISTORY

1. Amendment filed 3–5–71; effective thirtieth day thereafter. Approved by State Building Standards Commission 2–26–71 (Register 71, No. 10).
2. Renumbering and amendment filed 9–4–73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11–30–73.
3. Certificate of Compliance filed 12–28–73 (Register 73, No. 52).
4. Amendment of subsections (a)(1), (b)(1) and (b)(4) filed 6–18–87; operative 7–18–87 (Register 87, No. 28).
5. Change without regulatory effect amending subsection (b)(3) filed 11–1–91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
6. Amendment of section heading filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30314. Veterinary Medicine Radiographic Installations.

(a) Equipment.

(1) The tube housing shall be of diagnostic type.

(2) Diaphragms or cones shall be provided for collimating the useful beam to the area of clinical interest and shall provide the same degree of protection as is required of the housing.

(3) The total filtration permanently in the useful beam shall not be less than 1.5 millimeters aluminum–equivalent for equipment operating up to 70 kvp and 2.0 millimeters aluminum–equivalent for machines operated in excess of 70 kvp.

(4) A device shall be provided to terminate the exposure after a pre–set time or exposure.

(5) A dead–man type of exposure switch shall be provided, together with an electrical cord of sufficient length so that the operator can stand out of the useful beam and at least 6 feet from the animal during all X–ray exposures.

(b) Operating Procedures.

(1) The operator shall stand well away from the tube housing and the animal during radiographic exposures. The operator shall not stand in the useful beam. If film must be held, it shall be held by individuals not occupationally exposed to radiation. Hand–held fluoroscopic screens shall not be used. The tube housing shall not be held by the operator. No individuals other than the operator shall be in the X–ray room while exposures are being made unless such person's assistance is required.

(2) In any application in which the operator is not located behind a protective barrier, clothing consisting of a protective apron having a lead–equivalent of not less than 0.25 millimeter shall be worn by the operator and any other individuals in the room during exposures.

(3) No individual shall be regularly employed to hold or support animals during radiation exposures. Operating personnel shall not perform this service except very infrequently and then only in cases in which no other method is available. Any individual holding or supporting an animal during radiation exposure shall wear protective gloves and apron having a lead–equivalent of not less than 0.25 millimeter.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811 and 25815, Health and Safety Code.

HISTORY

1. Amendment filed 3–5–71; effective thirtieth day thereafter. Approved by State Building Standards Commission 2–26–71. (Register 71, No. 10).
2. Renumbering filed 9–4–73 as an emergency; effective upon filing (Register 73, No. 36). Approved by State Building Standards Commission 11–30–73.
3. Certificate of Compliance filed 12–28–73 (Register 73, No. 52).
4. Amendment filed 6–18–87; operative 7–18–87 (Register 87, No. 28).

§ 17–30321. Accountability, Storage, and Transit.

(a) In each hospital and clinic possessing sealed sources, there shall be a custodian of such sources. The custodian or his specified alternate shall keep a permanent record of the issue and return of all such sources.

(b) When not in use, sources and applicators containing sealed sources shall be kept in a protective enclosure of such material and wall thickness as may be necessary to assure compliance with the United States, title 10, Code of Federal Regulations, part 20, subparts C and D as incorporated by reference in section 30253.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Repealer of article 8 (30320, 30321) and new article 8 (30321) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For former article 8 see Register 62, No. 1.
2. Change without regulatory effect adding NOTE (Register 87, No. 11).
3. Amendment of article heading and subsection (b) filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30322. Records and Reports of Misadministration.

(a) When a misadministration involves a therapy procedure, the licensee shall notify the Department. The licensee shall also notify the referring physician of the affected patient and the patient or the responsible relative or guardian, unless the referring physician agrees to inform the

patient or believes, based on medical judgment, that telling the patient or the patient's responsible relative or guardian would be harmful to one or the other, respectively. These notifications shall be made within 24 hours after the licensee discovers the misadministration. If the referring physician, patient, or the patient's responsible relative or guardian cannot be reached within 24 hours, the licensee shall notify them as soon as practicable. The licensee is not required to notify the patient or the patient's responsible relative or guardian without first consulting the referring physician; however, the licensee shall not delay medical care for the patient because of this.

(b) Within 15 days after the initial therapy misadministration report to the Department, the licensee shall report, in writing, to the Department and to the referring physician, and furnish a copy of the report to the patient or the patient's responsible relative or guardian if either was previously notified by the licensee, as required by Subsection 30322(a). The written report shall include the licensee's name; the referring physician's name; a brief description of the event; the effect on the patient; the action taken to prevent recurrence; whether the licensee informed the patient or the patient's responsible relative or guardian, and if not, why not. The report shall not include the patient's name or other information that could lead to identification of the patient.

(c) When a misadministration involves a diagnostic procedure, the radiation safety officer shall promptly investigate its cause, make a record for agency review, and retain the record as directed by Subsection 30322(d). The licensee shall also notify the referring physician and the Department, in writing on Department Form DHS 8453 (7/89) (Diagnostic Misadministration Report) within 15 days, if the misadministration involved use of radioactive material not intended for medical use, administration of dosage five–fold different from the intended dosage, or administration of radioactive material such that the patient is likely to receive an organ dose greater than 2 Rem or a whole body dose of greater than 500 millirem (mRem). Licensees shall use the best available dosimetry data, correcting only for amount of radioactivity administered, to determine whether a report is required. Reports and records required pursuant to this section shall include reference to the source for dosimetry data used to determine whether a report is required.

(d) Each licensee shall retain a record of each misadministration for 10 years. The record shall contain the names of all individuals involved in the event, including the physician, allied health personnel, the patient and the patient's referring physician, the patient's social security number or identification number if one has been assigned, a brief description of the event, the effect on the patient, and the action taken, if any, to prevent recurrence.

(e) Aside from the notification requirement, nothing in Subsections 30322(a) through (d) shall affect any rights or duties of licensees and physicians in relation to each other, patients, or responsible relatives or guardians.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section field 9–5–89; operative 10–5–89 (Register 89, No. 36)

§ 17–30330. General Provisions.

(a) This article establishes special radiation safety requirements for use of sources of radiation for radiography, which shall be in addition to other applicable provisions of this regulation and of Groups 1 and 2 of this subchapter. Sections 30331 through 30335 shall apply to radiography using radioactive material and Section 30336 shall apply to radiography using radiation machines.

(b) "Radiography," as used in this article, means the examination of the physical structure of materials, other than human beings or animals, by non–destructive methods, utilizing radiation.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801 and 25802, Health and Safety Code.

HISTORY

1. Repealer of article 9 and new article 9 (sections 30330 through 30336) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For former article 9, see Register 62, No. 1.
2. Change without regulatory effect adding NOTE (Register 87, No. 11).
3. Amendment of article heading filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30331. Definitions Specific to Radiography.

(a) As used in Sections 30332 through 30335:

(1) "Permanent radiographic installation" means a shielded installation or structure designed or intended for radiography and in which radiography is regularly performed.

(2) "Radiographer" means any individual who performs radiographic operations or who, while in attendance at the site where radiographic operations are being performed, directly supervises such operations; and who is responsible to the user for assuring compliance with the requirements of radiation control regulations and license conditions.

(3) "Radiographers' assistant" means any individual who assists a radiographer in the performance of radiographic operations.

(4) "Radiographic exposure device" means any device containing a sealed source used for radiography.

(5) "Storage area" means any location, facility, or vehicle which is used to store, to transport, or to secure a radiographic exposure device, a storage container, or a sealed source when it is not in use and which is locked or has a physical barrier to prevent accidental exposure, tampering with, or unauthorized removal of the device, container, or source.

(6) "Storage container" means a container in which sealed sources are transported or stored.

(7) "Source Changer" means a device designed and used for replacement of sealed sources in radiographic exposure devices, including those also used for transporting and storage of sealed sources.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendment filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).
2. Renumbering of former subsections (a)(5) and (a)(6) to subsections (a)(6) and (a)(7), and the new subsection (a)(5) filed 7–12–89; operative 8–11–89 (Register 89, No. 28).

§ 17–30332. Performance Requirements for Radiographic Exposure Devices, Storage Containers, and Source Changers.

(a) For radiographic exposure devices measuring less than 4 inches from the sealed source position to any exterior surface of the device, the radiation level shall not exceed 50 millirems per hour at 6 inches from any exterior surface, wit the sealed source in the shielded or "off" position.

(b) For all storage containers, source changers and for radiographic exposure devices measuring 4 inches or more from the sealed source storage position to any exterior surface of the device, the radiation level shall not exceed 200 millirems per hour at any exterior surface and 10 millirems per hour at 40 inches from any exterior surface, with the sealed source in the shielded or "off" position.

(c) All radiographic exposure devices and associated equipment manufactured after January 10, 1992 and all radiographic exposure devices and associated equipment used after January 10, 1996 shall comply with the following:

(1) Each radiographic exposure device and all associated equipment shall meet the requirements specified in American National Standard N432–1980 "Radiological Safety for the Design and Construction of Apparatus for Gamma Radiography", published as NBS Handbook 136, issued January 1981 (ANSI N432).

(2) Each radiographic exposure device shall have attached to it a durable, legible, clearly visible label bearing the:

(A) Chemical symbol and mass number of the radionuclide in the device;

(B) Activity and date on which this activity was last measured;

(C) Model number and serial number of the sealed source;

(D) Manufacturer of the sealed source; and

(E) Licensee's name, address and telephone number.

(3) Radiographic exposure devices intended for use as Type B transport containers shall meet the applicable requirements of Section 30373.

(4) Modification of any exposure devices and associated equipment is prohibited, unless the design of any replacement component, including source holder, source assembly, controls or guide tubes would not compromise the safety design features of the system.

(5) Also, for radiographic exposure devices and associated equipment that allow the source to be moved out of the device for routine operation:

(A) The coupling between the source assembly and the control cable shall be designed in such a manner that the source assembly will not become disconnected if cranked outside the guide tube. The coupling shall be such that it cannot be unintentionally disconnected under normal and reasonably foreseeable abnormal conditions.

(B) The device shall automatically secure the source assembly when it is cranked back into the fully shielded position within the device. This securing system may only be released by means of a deliberate operation on the exposure device.

(C) The outlet fittings, lock box, and drive cable fittings on each radiographic exposure device shall be equipped with safety plugs or covers which shall be installed during storage and transportation to protect the source assembly from water, mud, sand or other foreign matter.

(D) Each sealed source or source assembly shall have attached to it or engraved in it, a durable, legible, visible label with the words "Danger—Radioactive." The label shall not interfere with the safe operation of the exposure device or associated equipment.

(E) The guide tube shall have passed the crushing tests for the control tube as specified in ANSI N432 and a kinking resistance test that closely approximates the kinking forces likely to be encountered during use.

(F) Guide tubes shall be used when moving the source out of the device.

(G) An exposure head or similar device designed to prevent the source assembly from passing out of the end of the guide tube shall be attached to the outermost end of the guide tube during radiographic operations.

(H) The guide tube exposure head connection shall be able to withstand the tensile test for control units specified in ANSI N432.

(I) Source changers shall provide a system for assuring that the source will not be accidentally withdrawn from the changer when connecting or disconnecting the drive cable to or from a source assembly.

NOTE: (1) Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health and Safety Code.

NOTE: (2) Copies of American National Standard N432–1980 "Radiological Safety for the Design and Construction of Apparatus for Gamma Radiography" (published as NBS Handbook 136, issued January 1981) may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 and from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

HISTORY

1. Renumbering and amendment of former section 30332(a) to section 30332(a) and (b), renumbering and amendment of former section 30332(b) to section 30332.1, renumbering and amendment of former section 30332(c) to section 30332.3, renumbering and amendment of former section 30332(d) to section 30332.4, renumbering and amendment of former section 30332(e) to section 30332.5, renumbering and amendment of former section 30332(f) to section 30332.6, and renumbering and amendment of former section 30332(g) to section 30332.7 filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28). For prior history, see Registers 72, No. 42 and 67, No. 46.
2. Amendment of section heading and NOTE and new subsections (c)–(c)(5)(I) filed 9–16–92; operative 10–16–92 (Register 92, No. 38).

§ 17–30333. Training and Supervision for Radiographers and Radiographers' Assistants.

(a) No user shall permit any individual to act as a radiographer until such individual:

(1) has been instructed in and demonstrated an understanding of the subjects enumerated in Section 30335;

(2) has received copies of, instruction in, and demonstrated understanding of, this regulation, applicable provisions of Group 2 of this subchapter, applicable radioactive material licenses, and the user's operating and emergency procedures; and

(3) has demonstrated competence to use the radiographic exposure devices, sealed sources, related handling tools, and radiation survey instruments which will be employed in his assignments.

(b) No user shall permit any individual to act as a radiographers' assistant until such individual:

(1) has received copies of, instruction in, and demonstrated understanding of, the user's operating and emergency procedures; and

(2) has demonstrated competence to use, under the direct supervision of a radiographer, the radiographic exposure devices, sealed sources, related handling tools, and radiation survey instruments which will be employed in his assignments.

(c) Whenever a radiographer's assistant uses radiographic exposure devices, uses sealed sources or related source handling tools, or conducts radiation surveys required by Section 30334 to determine that the sealed source has returned to the shielded position after an exposure, the radiographer's assistant shall be under the personal supervision of a radiographer. The personal supervision shall include:

(1) The radiographer's personal presence at the site where the sealed sources are being used;

(2) The ability of the radiographer to give immediate assistance if required; and

(3) The radiographer's watching the assistant's performance of the operations referred to in this section.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Renumbering and amendment of former Section 30333(a) to Section 30333(a)–(c), renumbering and amendment of former Section 30333(b) to Section 30333.1, and renumbering and amendment of former Section 30333(c) to Section 30333.2 filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28). For prior history, see Register 72, No. 42.

§ 17–30334. Precautionary Procedures in Radiographic Operations.

(a) During each radiographic operation the radiographer or radiographers' assistant shall maintain direct surveillance of the operation to protect against unauthorized entry into a high radiation area, except:

(1) where the high radiation area is equipped with a control device or an alarm system as described in the United States, title 10, Code of Federal Regulations, part 20, subpart G as incorporated by reference in section 30253; or

(2) where the high radiation area is locked to protect against unauthorized or accidental entry.

(b) Areas in which radiography is being performed shall be conspicuously posted as required by the United States, title 10, Code of Federal Regulations, part 20, subpart J as incorporated by reference in section 30253. The limits of a "high radiation area" need not be separately defined and posted if the surrounding "radiation area" is posted and controlled as a "high radiation area."

(c) No radiographic operation shall be conducted unless calibrated and operable radiation survey instrumentation per Section 30332.3 is available and used.

(d) A survey with a radiation survey instrument shall be made after each radiographic exposure to determine that the sealed source has been returned to its shielded position. The entire circumferences of the radiographic exposure device shall be surveyed. If the radiographic exposure device has a source guide tube, the survey shall include the guide tube.

(e) A physical radiation survey shall be made to determine that each sealed source is in its shielded condition prior to locking a radiographic exposure device, storage container or source changer pursuant to Section

30332.1. Records of all such surveys shall be maintained and kept available for inspection.

(f) The licensee shall audit the performance of each radiographer and radiographer's assistant at intervals not to exceed (3) months for the purpose of assessing compliance with Department regulations, license provisions and the licensee's operating and emergency procedures.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25811, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendment of subsection (b) filed 10–12–72; effective thirtieth day thereafter (Register 72, No. 42).
2. Amendment filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).
3. Change without regulatory effect of subsection (c) (Register 87, No. 4).
4. Amendment of subsections (c)–(e), relettering of former subsection (f) to subsection (g) and new subsection (f) filed 7–12–89; operative 8–11–89 (Register 89, No. 28).
5. Change without regulatory effect amending subsection (f) filed 11–1–91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).
6. Amendment of subsections (a)(1) and (b) filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30336. Radiography Employing Radiation Machines.

Definitions, for purposes of this regulation, and special requirements for various categories of radiography employing radiation machines are as follows:

(a) Cabinet radiography is that which is conducted in an enclosed, interlocked cabinet, such that the radiation machine will not operate unless all openings are securely closed, and the interior of which is so shielded that every location on the exterior meets conditions for an uncontrolled area as specified in the United States, title 10, Code of Federal Regulations, part 20, subpart D as incorporated by reference in section 30253. Cabinet radiography shall be subject to the following special conditions:

(1) No user shall permit any individual to operate a cabinet radiography unit until such individual has received a copy of and instruction in, and demonstrated an understanding of, operating procedures for the unit, and has demonstrated competence in its use.

(b) Shielded room radiography is that which is conducted in an enclosed room, the interior of which is not occupied during radiographic operations, which is so shielded that every location on the exterior meets conditions for an uncontrolled area as specified in the United States, title 10, Code of Federal Regulations, part 20, subpart D as incorporated by reference in section 30253, and the only access to which is through openings which are interlocked so that the radiation machine will not operate unless all openings are securely closed. Shielded room radiography shall be subject to the following special conditions:

(1) No user shall permit any individual to operate a shielded room radiography unit until such individual has received a copy of and instruction in, and demonstrated an understanding of, operating procedures for the unit, and has demonstrated competence in its use.

(2) Each user shall supply appropriate personnel monitoring equipment to, and shall require the use of such equipment by, every individual who operates, who makes "set–ups," or who performs maintenance on a shielded room radiography unit.

(c) Field radiography is all radiography other than cabinet radiography and shielded room radiography. Field radiography shall be subject to the following special conditions, except as may be explicitly exempted by the department or other official agency specifically designated by the department:

(1) No user shall permit any individual to perform field radiography until such individual has been instructed in and demonstrated an understanding of the following subjects:

Characteristics of X–radiation

Units of radiation dose

Radiation hazards

Radiation levels from radiation machines

Methods of controlling radiation exposure: time, distance, shielding

Use of radiation survey instruments: operation, calibration, limitations

Radiation survey techniques

Characteristics and use of personnel monitoring equipment

Use of radiation machines in radiography

(2) Each user shall maintain and keep current written operating procedures for the kinds of radiation machines and the kinds of radiographic procedures employed. Such procedures shall include detailed instructions in at least the following:

(A) Means to be employed to control and limit exposure to individuals.

(B) Methods and occasions for conducting radiation surveys and for controlling access to radiography areas.

(C) The use of radiation survey instruments and personnel monitoring devices.

(3) No user shall permit any individual to perform field radiography until such individual has received a copy of, instruction in, and demonstrated an understanding of, the user's operating procedures and has demonstrated competence in the kinds of radiographic operations which he will perform.

(4) The boundaries of the controlled area for each "setup" shall be determined by a physical radiation survey, and appropriate limitations shall be imposed for controlling access to that area. Such surveys shall be made with a radiation measuring instrument capable of measuring radiation of the energies and at the dose rates to be encountered, which is in good working order, and which has been properly calibrated within the preceding three months or following the last instrument servicing, whichever is later. Survey results and records of boundary locations shall be maintained and kept available for inspection.

(5) Areas in which radiography is being performed shall be conspicuously posted as required by the United States, title 10, Code of Federal Regulations, part 20, subpart J as incorporated by reference in section 30253. The limits of a "high radiation area" need not be separately defined and posted if the surrounding "radiation area" is posted and controlled as a "high radiation area."

(6) During each radiographic operation, the operator shall maintain direct surveillance of the operation to protect against unauthorized entry into a high radiation area unless entry into such area is positively controlled by other suitable means.

(7) Each user shall maintain current utilization logs which shall be kept available for inspection at the address specified on the registration form, containing the following information for each radiation machine:

(A) The identity of the machine.

(B) The location, date, and the identity of the individual operator for each use.

(C) The voltage, current, and exposure time for each use.

(8) Each user shall furnish a film badge and either a pocket dosimeter or pocket chamber to, and require their use at all times during radiographic operations by, every individual who conducts field radiography or who otherwise frequents the area during such operations. Pocket dosimeters and pocket chambers shall be capable of measuring doses to at least 200 millirems. They shall be read and doses recorded daily.

Pocket dosimeters and pocket chambers shall be checked for current leakage and calibrated no less frequently than once a year. Records of such checks and calibrations, showing dates and results, shall be maintained and kept available for inspection.

Each film badge shall be assigned to and worn by only one individual. An individual's film badge shall be immediately processed if his pocket dosimeter or pocket chamber is discharged beyond its range.

The film badge reports received from the film badge processor and records of pocket dosimeter or pocket chamber readings shall be maintained and kept available for inspection.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801 and 25802, Health and Safety Code.

HISTORY

1. Amendment of subsection (c)(4) filed 5–13–69; effective thirtieth day thereafter (Register 69, No. 20).
2. Amendment of subsection (c)(5) filed 10–12–72; effective thirtieth day thereafter (Register 72, No. 42).
3. Change without regulatory effect adding NOTE (Register 87, No. 11).
4. Amendment of subsections (a), (b) and (c)(5) filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30337. Contraband–Detection Fluoroscopy.

When a radiation machine is operated in an occupied area for the purpose of detection of contraband in airline passenger carry–on baggage, it shall meet all of the following requirements:

(a) Radiation emitted from the detection equipment shall not, under any condition of use, exceed an exposure of 0.5 milliroentgen in one hour at any point five centimeters outside the external surface, or any door or port.

(b) The detection equipment shall have a physical barrier, photoelectric safety interlock, or other means which will make the insertion of any part of the human body into the primary X–ray beam impossible.

(c) The detection equipment shall have a lock–and–key control which will insure that X–ray generation is not possible with the key removed.

(d) There shall be an illuminated indicator which will show when X–rays are being generated; this indicator shall be prominently visible to operating personnel in their normal working positions:

(e) In systems in which baggage is placed directly onto the fluoroscopy stage through an open port, the operator's X–ray control switch shall be of the deadman type.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 10–29–73 as an emergency; effective upon filing (Register 73, No. 44).
2. Certificate of Compliance filed 2–22–74 (Register 74, No. 8).
3. Change without regulatory effect adding NOTE (Register 87, No. 11).

§ 17–30345.1. Scope.

The regulations in this Article shall apply to all licensees or registrants who use sources of radiation for well logging operations including oil, gas, mineral–logging, radioactive markers, or subsurface tracer studies.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5). For prior history of former article 10, see Register 85, No. 48.
2. Amendment of article heading filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30345.2. Definitions.

(a) The definitions in section 30100 apply to this article.

(b) As used in this article:

(1) "Energy compensation source" means a small sealed source (not exceeding an activity of 100 microcuries), used within a logging tool, or other tool components, to provide a reference standard to maintain the tool's calibration when in use;

(2) "Field station" means a facility where licensed radioactive material or radiation machines may be stored or used and from which equipment is dispatched to temporary jobsites;

(3) "Fresh Water Aquifer" means a geologic formation that is capable of yielding fresh water to a well or spring;

(4) "Injection tool" means a device used for controlled subsurface injection of radioactive tracer material;

(5) "Irretrievable well logging source" means any sealed source containing radioactive material that is pulled off or not connected to the wireline that suspends the source in the well and for which all reasonable effort at recovery has been expended;

(6) "Logging assistant" means any individual who, under the personal supervision of a logging supervisor, handles radiation sources that are not in logging tools or shipping containers or who performs surveys required by section 30348.4;

(7) "Logging supervisor" means any individual who uses radiation sources or provides personal supervision in the use of radiation sources at a temporary jobsite and who is responsible to the user for assuring compliance with the requirements of this regulation and the conditions of the license;

(8) "Logging tool" means a device used subsurface to perform well logging;

(9) "Personal supervision" means guidance and instruction by a logging supervisor who is physically present at a temporary jobsite, who is in personal contact with logging assistants, and who can give immediate assistance;

(10) "Radioactive marker" means radioactive material used for depth determination or direction orientation. The term includes radioactive collar markers and radioactive iron nails;

(11) "Safety review" means a periodic review provided by the user for its employees on radiation safety as it relates to well logging. The review may include, as appropriate, the results of internal inspections, new procedures or equipment, accidents or errors that have been observed, and safety questions by employees;

(12) "Source holder" means a housing or assembly into which a sealed source is placed to facilitate the handling and use of the source in well logging;

(13) "Subsurface tracer study" means the release of unsealed radioactive material or a substance labeled with radioactive material in a single well for the purpose of tracing the movement or position of the material or substance in the well or adjacent formation;

(14) "Surface casing for protecting fresh water aquifers" means a pipe or tube used as a lining in a well to isolate fresh water aquifers from the well;

(15) "Temporary jobsite" means a place where licensed radioactive materials or radiation machines are present for the purpose of performing well logging or subsurface tracer studies;

(16) "Tritium neutron generator target source" means a tritium source used within a neutron generator tube to produce neutrons for use in well logging applications;

(17) "Uranium sinker bar" means a weight containing depleted uranium used to pull a logging tool towards the bottom of a well;

(18) "Well" means a drilled hole in which well logging may be performed and includes drilled holes for the purpose of oil, gas, mineral, groundwater, or geological exploration;

(19) "Well logging" means all operations involving the lowering and raising of measuring devices or tools which contain radiation sources or are used to detect radiation sources in wells for the purpose of obtaining information about the well or adjacent formations which may be used in oil, gas, mineral, groundwater, or geological exploration;

(20) "Wireline" means a cable containing one or more electrical conductors, which is used to lower and raise logging tools in the well–bore.

NOTE: Authority cited: Sections 100275, 114975, 115000 and 115060, Health and Safety Code. Reference: Sections 114965, 114970, 114985, 115060, 115230 and 115235, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).
2. Amendment of section and NOTE filed 4–10–2006; operative 5–10–2006 (Register 2006, No. 15).

§ 17–30345.3. Specific License for Well Logging.

(a) The applicant for licensure or registration as described in Section 30194 shall meet the requirements specified in that section and any special requirements contained in this section.

(b) The applicant shall develop a program for training logging supervisors and logging assistants and submit to the Department a description of this program which specifies:

(1) Initial training;

(2) On the job training;

(3) Annual safety reviews provided by the licensee;

(4) Means the applicant will use to demonstrate the logging supervisor's knowledge and understanding of and ability to comply with the regulations and licensing requirements and the applicant's operating and emergency procedures; and

(5) Means the applicant will use to demonstrate the logging assistant's knowledge and understanding of and ability to comply with the regulations and licensing requirements and the applicant's operating and emergency procedures.

(c) The applicant shall submit to the Department written operating and emergency procedures as described in Section 30348.2 or an outline or summary of the procedures that include the important radiation safety aspects of the procedures.

(d) The applicant shall establish and submit to the Department its program for annual inspections of the job performance of each logging supervisor to ensure that the Department regulations, license requirements, and the applicant's operating and emergency procedures are followed. Inspection records must be retained for three years after each annual internal inspection.

(e) The applicant shall submit a description of its overall organizational structure as it applies to the radiation safety responsibilities in well logging, including specified delegations of authority and responsibility.

(f) If an applicant wants to perform leak testing of sealed sources, the applicant shall identify the manufacturers and the model numbers of the leak test kits to be used. If the applicant wants to analyze its own wipe samples, the applicant shall establish procedures to be followed and submit a description of these procedures to the Department. The description shall include:

(1) Instruments to be used;

(2) Methods of performing the analysis; and

(3) Pertinent experience of the person who will analyze the wipe samples.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).

§ 17–30346. Agreement with Well Owner or Operator.

(a) No licensee shall perform well logging services operations with a sealed source unless, prior to commencement of the operation, the licensee has a written agreement with the well operator, well–owner, drilling contractor, or land owner describing who shall be responsible for meeting the following requirements:

(1) In the event a sealed source is lodged downhole, a reasonable effort shall be made to recover it.

(2) A person shall not attempt to recover a sealed source in a manner which, in the licensee's opinion, could result in its rupture.

(3) Radiation monitoring required in Section 30348.5(a) shall be performed.

(4) If the environment, any equipment, or personnel are contaminated with licensed radioactive material, they shall be decontaminated before release from the site or release for unrestricted use.

(5) If the sealed source is classified as irretrievable after reasonable efforts at recovery have been expended, the following requirements shall be implemented within 30 days:

(A) Each irretrievable well logging source shall be immobilized and sealed in place with a cement plug.

(B) A mechanical device to prevent inadvertent intrusion on the source shall be set at some point in the well above the cement plug, unless the cement plug and source are not accessible to any subsequent drilling operations.

(C) A permanent identification plaque, constructed of long lasting material such as stainless steel, brass, bronze, or monel, shall be mounted at the surface of the well, unless the mounting of the plaque is not practical. The size of the plaque shall be at least 7 inches square and 1/8 inch thick. The plaque shall contain the word "Caution", the radiation symbol (color requirements as described in Section 30278(a) do not have to be met), the date the source was abandoned, the name of the well owner or well operator as appropriate, the well name and well identification number(s) or other designations, an identification of the sealed source(s) by radionuclide and quantity, the depth of the source and the depth to the top of the plug and an appropriate warning such as "Do not reenter this well".

(b) The licensee shall retain a copy of the written agreement for three years after the completion of the well logging operation.

(c) A licensee may apply, pursuant to Section 30104, for approval on a case–by–case basis of proposed procedures to abandon an irretrievable well logging source in a manner not otherwise authorized in paragraph (a)(5) above.

(d) A written agreement between the licensee and the well owner or operator is not required if the licensee and the well owner or operator are part of the same corporate structure or otherwise similarly affiliated. However, the licensee shall still otherwise meet the requirements in Sections (a)(1) through (a)(5).

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5). For prior history, see Register 87, No. 28.

§ 17–30346.1. Labels, Security and Transportation.

(a) The license shall not use a radiation source or source holder or logging tool that contains radioactive material unless the smallest component that is transported as a separate piece of equipment with the radioactive material inside bears a durable, legible, and clearly visible marking or label. The marking or label shall contain the radiation symbol specified in the United States, title 10, Code of Federal Regulations, part 20, subpart J as incorporated by reference in section 30253 and the wording "Danger (or Caution) Radioactive Material".

(b) The licensee shall not use a container to store radioactive material unless the container has securely attached to it a durable, legible, and clearly visible label. The label must contain the radiation symbol specified in the United States, title 10, Code of Federal Regulations, part 20, subpart J as incorporated by reference in section 30253 and the wording "CAUTION (or DANGER) RADIOACTIVE MATERIAL. NOTIFY CIVIL AUTHORITIES (OR NAME OF COMPANY)".

(c) The licensee shall not transport radioactive material unless the material is packaged, labeled, marked, and accompanied with appropriate shipping papers in accordance with regulations set forth in 10 CFR Part 71 (53 FR 21550, Pub. 6/8/88).

(d) The licensee shall store each source containing radioactive material in a storage container or transportation package. The container or package must be locked and physically secured to prevent tampering or removal of radiation sources from storage by unauthorized personnel. The licensee shall store radiation sources in a manner which will minimize danger from explosion or fire.

(e) The licensee shall lock and physically secure the transport package containing radiation sources in the transporting vehicle to prevent accidental loss, tampering, or unauthorized removal of the radioactive material from the vehicle.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).
2. Amendment of subsections (a) and (b) filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30346.2. Radiation Detection Instruments.

(a) The licensee or registrant shall keep a calibrated and operable radiation survey instrument capable of detecting beta and gamma radiation at each field station and temporary jobsite to make the radiation surveys required by this section and by Section 30275. To satisfy this requirement, the radiation survey instrument must be capable of measuring 0.1 mR per hour through at least 50 mR per hour. Survey instruments acquired before the effective date of these regulations shall be capable of measuring 0.1 mR per hour through at least 20 mR per hour.

(b) The licensee or registrant shall have available additional calibrated and operable radiation survey instruments with the sensitivity to detect the low radiation and contamination levels that could be encountered if a sealed source ruptured. The licensee may own the instrument or may have a procedure to obtain them quickly from a second party.

(c) The licensee or registrant shall have each radiation survey instrument required under subsection (a) above calibrated:

(1) At intervals not to exceed six months and after instrument servicing;

(2) At two points located approximately 1/3 and 2/3 of full scale on each scale for linear scale instruments, at mid range of each decade and at two points on each decade for logarithmic scale instruments, and at appropriate points for digital instruments; and

(3) So that an accuracy within plus or minus 20 percent of the calibration standards can be demonstrated on each scale.

(d) The licensee or registrant shall retain calibration records for at least three years after the date of calibration for inspection by the Department.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).

§ 17–30346.3. Leak Testing of Sealed Sources.

Each licensee who uses a sealed source shall have the source tested for leakage as described in section 30275, except that energy compensation sources (ECS) that are not exempt from testing pursuant to section 30275(c) shall be tested at intervals not to exceed three years. In the absence of a certificate from a transferor that a test has been made within the three years before the transfer, the ECS may not be used until tested.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115230 and 115235, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).
2. Amendment of section and NOTE filed 3–1–2007; operative 3–31–2007 (Register 2007, No. 9).

§ 17–30346.4. Physical Inventory.

Each licensee shall conduct a semi–annual physical inventory to account for all licensed radioactive material received and possessed under the license. The licensee shall retain records of the inventory for three years from the date of the inventory for inspection by the Department. The inventory shall indicate the quantity and kind of radioactive material, the location of the radioactive material, the date of the inventory, and the name of the individual conducting the inventory. Physical inventory records may be combined with leak test records.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).

§ 17–30346.5. Records of Material Use.

(a) Each licensee or registrant user shall maintain records for each use of radiation sources showing:

(1) The make, model number, and a serial number or a description of each radiation source used;

(2) In the case of unsealed radioactive material used for subsurface tracer studies, the radionuclide and quantity of activity used in a particular well and the disposition of any unused tracer materials;

(3) The identity of the logging supervisor who is responsible for the radiation sources and the identity of logging assistants present; and

(4) The location and date of use of the radiation source.

(b) The licensee or registrant shall make the records required by subsection (a) of this section available for inspection by the Department. The records shall be kept for three years from the date of the recorded event.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).

§ 17–30346.6. Design and Performance Criteria for Sealed Sources.

(a) A licensee shall not use a sealed source in well logging unless the sealed source:

(1) Is doubly encapsulated;

(2) Contains licensed radioactive material whose chemical and physical forms are as insoluble and nondispersible as practical; and

(3) Meets one of the following:

(A) For a sealed source manufactured on or before July 14, 1989, meets the requirements of USASI N5.10–1968, "Classification of Sealed Radioactive Sources"* which is incorporated by reference; or

(B) For a sealed source manufactured after July 14, 1989, meets the oil–well logging requirements of ANSI/HPS N43.6–1997, "Sealed Radioactive Sources—Classification"* which is incorporated by reference; or

(C) For a sealed source manufactured after July 14, 1989, if the sealed source's prototype has been tested and found to maintain its integrity after each of the following tests:

1. The test source shall be held at – 40 deg. C. for 20 minutes, 600 deg. C. for one hour, and then be subject to a thermal shock test with a temperature drop from 600 deg. C. to 20 deg. C. within 15 seconds;

2. A 5 kg. steel hammer, 2.5 cm. in diameter, shall be dropped from a height of 1 meter onto the test source;

3. The test source shall be subject to a vibration from 25 Hz to 500 Hz at 5 g amplitude for 30 minutes;

4. A one gram hammer and pin, 0.3 cm pin diameter, shall be dropped from a height of 1 m onto the test source; and

5. The test source shall be subjected to an external pressure of 24,600 pounds per square inch absolute (1.695×10^7 pascals).

(b) The requirements in subsection (a) do not apply to sealed sources that contain radioactive material in gaseous form or to energy compensation sources (ECS). ECSs shall be registered pursuant to section 30192.1(b).

---

*Copies of USASI N5.10–1968, "Classification of Sealed Radioactive Sources" may be obtained from the Department. Copies of American National Standard N43.6–1997," Sealed Radioactive Sources—Classification" may be purchased from the American National Standards Institute, Inc., Global Engineering Documents, 1819 L Street, NW, Suite 600, Washington DC 20036 or at "http://global.ihs.com" using "ANSI N43.6" as the document number; or the Health Physics Society at http://hps.org/documents/hpsstandardsorder.pdf.

NOTE: Authority cited: Sections 100275, 114975, 115000 and 115060, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115230 and 115235, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).
2. Amendment of section and NOTE filed 4–10–2006; operative 5–10–2006 (Register 2006, No. 15).

§ 17–30346.7. Inspection, Maintenance and Opening of a Source Holder.

(a) Each licensee shall visually check source holders, logging tools, and source handling tools, for defects before each use to ensure that the equipment is in good working condition and that required labeling is present. If defects are found, the equipment must be removed from service until repaired, and a record must be made listing the date of check, name of inspector, equipment involved, defects found, and repairs made. These record shall be retained for three years after the defect is found.

(b) Each licensee shall have a program of semi–annual visual inspection and routine maintenance of source holders, logging tools, injection

tools, source handling tools, storage containers, transport containers, and uranium sinker bars to ensure that the required labeling is legible and that no physical damage is visible. If defects are found, the equipment must be removed from service until repaired, and a record must be made listing date, equipment involved, inspection and maintenance operations performed, any defects found, and any actions taken to correct the defects. These records must be retained for three years after the defect is found.

(c) Removal of a sealed source from a source holder or logging tool, and maintenance on sealed sources or holders in which sealed sources are contained shall not be performed by the licensee unless a written procedure developed pursuant to Section 30348.2 has been approved by the Department.

(d) If a sealed source is stuck in the source holder, the licensee shall not perform any operation, such as drilling, cutting, or chiseling on the source holder unless the licensee is specifically approved by the Department.

(e) The opening, repair, or modification of any sealed source is prohibited unless performed by persons specifically approved to do so by the Department.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).

§ 17–30346.8. Subsurface Tracer Studies.

(a) The licensee shall require all personnel handling radioactive tracer material to use protective gloves and, if required by the license, other protective clothing and equipment. The licensee shall take precautions to avoid ingestion or inhalation of radioactive tracer material and to avoid contamination of field stations and temporary jobsites.

(b) The licensee shall not knowingly inject radioactive material into fresh water aquifers unless specifically authorized to do so by the Department.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25608, 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).

§ 17–30346.9. Radioactive Markers.

The licensee shall use radioactive markers in wells only if the individual markers contain quantities of radioactive material not exceeding the quantities specified in Section 30235 Schedule A. The use of markers is subject to the requirements of Section 30346.4 only.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).

§ 17–30346.10. Uranium Sinker Bars.

The licensee shall use a uranium sinker bar in well logging, only if it is legibly impressed with the words "Caution—Radioactive–Depleted Uranium" and "Notify Civil Authorities (or Company Name) If Found."

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).

§ 17–30348.1. Training Requirements.

(a) The licensee or registrant shall not permit an individual to act as a logging supervisor until that person:

(1) Has completed training in the subjects outlined in subsection (e) of this section;

(2) Has received copies of, and instruction in:

(A) Regulations contained in Subchapter 4, Title 17, California Code of Regulations;

(B) The Department license or registration under which the logging supervisor will perform well logging; and

(C) The licensee or registrant's operating and emergency procedures required by Section 30348.2;

(3) Has completed on–the–job training and demonstrated competence in the use of radiation sources, remote handling tools, and radiation survey instruments by a field evaluation; and

(4) Has demonstrated understanding of the requirements in paragraphs (a)(1) and (2) of this section by successfully completing a written test.

(b) The licensee or registrant shall not permit an individual to act as a logging assistant until that person:

(1) Has received instruction in applicable requirements of the United States, title 10, Code of Federal Regulations, part 20, subparts C, D, F, G, I, J, K, L, and M as incorporated by reference in section 30253;

(2) Has received copies of, and instruction in, the licensee's or registrant's operating and emergency procedures required by Section 30365.2;

(3) Has demonstrated understanding of the materials listed in paragraphs (b)(1) and (2) of this section by successfully completing a written or oral test; and

(4) Has received instruction in the use of radiation sources, remote handling tools, and radiation survey instruments, as appropriate for the logging assistant's intended job responsibilities.

(c) The licensee or registrant shall provide safety reviews for logging supervisors and logging assistants at least once during each calendar year.

(d) The licensee or registrant shall maintain a record on each logging supervisor's and logging assistant's training and annual safety review. The training records must include copies of written tests and dates of oral tests. The training records must be retained for three years following the date of termination of employment. Records of annual safety reviews must list the topics discussed and be retained for three years.

(e) The licensee or registrant shall include the following subjects in the training required in paragraph (a)(1) of this section:

(1) Fundamentals of radiation safety including:

(A) Characteristics of radiation;

(B) Units of radiation dose and quantity of radioactivity;

(C) Hazards of exposure to radiation;

(D) Levels of radiation from licensed material;

(E) Methods of controlling radiation dose (time, distance, and shielding); and

(F) Radiation safety practices, including prevention of contamination, and methods of decontamination.

(2) Radiation detection instruments including:

(A) Use, operation, calibration, and limitations of radiation survey instruments;

(B) Survey techniques; and

(C) Use of personnel monitoring equipment;

(3) Equipment to be used including:

(A) Operation of equipment, including source handling equipment and remote handling tools;

(B) Storage, control, and disposal of licensed material; and

(C) Maintenance of equipment.

(4) The requirement of pertinent regulations, and

(5) Case histories of accidents in well logging.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).
2. Amendment of subsection (b)(1) filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30348.2. Operating and Emergency Procedures.

(a) Each licensee shall develop and follow written operating and emergency procedures that cover:

(1) The handling and use of radiation sources, including protection of fresh water aquifers, if appropriate;

(2) The use of remote handling tools for handling sealed sources and radioactive tracer material except low–activity calibration sources;

(3) Methods and occasions for conducting radiation surveys, including surveys for detecting contamination, as required by Section 30348.4 (c)–(e);

(4) Minimizing personnel exposure including exposures from inhalation and ingestion of radioactive tracer materials;

(5) Methods and occasions for locking and securing stored radioactive materials;

(6) Personnel monitoring and the use of personnel monitoring equipment;

(7) Transportation of radioactive materials to field stations or temporary jobsites, packaging of licensed materials for transport in vehicles, placarding of vehicles when needed, and physically securing radioactive materials in transport vehicles during transportation to prevent accidental loss, tampering, or unauthorized removal;

(8) Picking up, receiving, and opening packages containing radioactive materials, in accordance with the United States, title 10, Code of Federal Regulations, part 20, section 20.1906 as incorporated by reference in section 30253;

(9) For the use of tracers, decontamination of the environment, equipment, and personnel;

(10) Maintenance of records generated by logging personnel at temporary fieldsites;

(11) Inspection and maintenance of sealed sources, source holders, logging tools, injection tools, source handling tools, storage containers, transport containers, and uranium sinker bars as required by Section 30346.10;

(12) Actions to be taken if a sealed source is lodged in a well;

(13) Notifying proper persons in the event of an accident; and

(14) Actions to be taken if a sealed source is ruptured including actions to prevent the spread of contamination and minimize inhalation and ingestion of radioactive materials and actions to obtain suitable radiation survey instruments as required by Section 30346.2(b).

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).
2. Amendment of subsection (a)(8) filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30348.3. Personnel Monitoring.

(a) The user shall not permit an individual to act as a logging supervisor or logging assistant unless that person wears, at all times during the handling of radiation sources, a personnel dosimeter that requires processing to determine the radiation dose. Each personnel dosimeter shall be assigned to and worn by only one individual. Film badges shall be replaced at least monthly and other personnel dosimeters replaced at least quarterly. After replacement, personnel dosimeters shall be sent for processing by the users' dosimetry processor meeting the requirements of section 20.1501(c) of title 10, Code of Federal Regulations incorporated by reference in section 30253 as soon as possible but no later than recommended by the dosimetry processor.

(b) The licensee shall provide bioassay services to individuals using radioactive materials in subsurface tracer studies if required by the license.

(c) Reports received from the dosimetry processor shall be retained for inspection until the Department terminates each license or registration that authorizes the activity that is subject to the recordkeeping requirement.

NOTE: Authority cited: Sections 100275, 114975, 115000 and 115060, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115110, 115230 and 115235, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).
2. Repealer of subsection (c) filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).
4. Amendment of subsection (a), new subsection (c) and amendment of NOTE filed 4–10–2006; operative 5–10–2006 (Register 2006, No. 15).

§ 17–30348.4. Radiation Surveys.

(a) The licensee shall make radiation surveys including, but not limited to, the surveys required under subsections (b) through (e) of this section, of each area where radioactive materials are used and stored.

(b) Before transporting radioactive materials, the licensee shall make a radiation survey of the position occupied by each individual in the vehicle and of the exterior of each vehicle used to transport radioactive materials.

(c) If the sealed source assembly is removed from the logging tool before departure from the temporary jobsite, the licensee shall confirm that the logging tool is free of contamination by energizing the logging tool detector or by using a survey meter.

(d) If the licensee has reason to believe that, as a result of any operation involving a sealed source, the encapsulation of the sealed source could be damaged by the operation, the licensee shall conduct a radiation survey, including a contamination survey, during and after the operation.

(e) The licensee shall make a radiation survey at the temporary jobsite before and after each subsurface tracer study to confirm the absence of contamination.

(f) The results of surveys required under subsections (a) through (e) of this section must be recorded and must include the date of the survey, the name of the individual making the survey, the identification of the survey instrument used, and the location of the survey. The licensee shall retain records of surveys for inspection by the Department for three years after they are made.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).

§ 17–30348.5. Radioactive Contamination Control.

(a) If the licensee detects evidence that a sealed source has ruptured or radioactive materials have caused contamination, the licensee shall initiate immediately the emergency procedures required by Section 30348.2.

(b) If contamination results from the use of radioactive material in well logging, the licensee shall decontaminate all work areas, equipment, and unrestricted areas.

(c) During efforts to recover a sealed source lodged in a well, the licensee shall continuously monitor, with an appropriate radiation detection instrument or a logging tool with a radiation detector, the circulating fluids from the well, if any, to check for contamination resulting from damage to the sealed source.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).

§ 17–30350. Security.

(a) A logging supervisor shall be physically present at a temporary jobsite whenever radioactive materials or particle accelerators are being handled or are not stored and locked in a vehicle or storage place. The logging supervisor may leave the jobsite in order to obtain assistance if a source becomes lodged in a well.

(b) During well logging, except when radiation sources are below ground or in shipping or storage containers, the logging supervisor or other individual designated by the logging supervisor shall maintain direct surveillance of the operation to prevent unauthorized entry into a "controlled area", as defined in title 10, Code of Federal Regulations, section 20.1003, as incorporated by reference by section 30253.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115230 and 115235, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5). For prior history, see Register 87, No. 28.
2. Repealer of article 11 heading filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28)
4. Amendment of subsection (b) and NOTE filed 10–15–2001; operative 11–14–2001 (Register 2001, No. 42).

§ 17–30350.1. Documents and Records Required at Field Stations.

(a) Each licensee or registrant shall maintain the following documents and records at the field station:

(1) A copy of the California Code of Regulations, Title 17; Subchapter 4;

(2) The license or registration authorizing the use of radioactive material or particle accelerators;

(3) Operating and emergency procedures required by Section 30348.2.

(4) The record of radiation survey instrument calibrations required by Section 30346.2.

(5) The record of leak test results required by Section 30346.3.

(6) Physical inventory records required by Section 30346.4.

(7) Utilization records required by Section 30346.5.

(8) Records of inspection and maintenance required by Section 30346.7.

(9) Training records required by Section 30348.1; and

(10) Survey records required by Section 30348.4.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).

§ 17–30350.2. Documents and Records Required at Temporary Jobsites.

(a) Each licensee or registrant conducting operations at a temporary jobsite shall maintain the following documents and records at the temporary jobsite until the well logging operation is completed:

(1) Operating and emergency procedures required by Section 30348.2.

(2) Evidence of latest calibration of the radiation survey instruments in use at the site required by Section 30346.2.

(3) Latest survey records required by Section 30348.4(a)(2), (3), and (5).

(4) The shipping papers for the transportation of radioactive materials required by Group 4, Article 1 of this chapter; and

(5) When operating under reciprocity pursuant to Section 30225 of this chapter, a copy of the U.S. Nuclear Regulatory Commission or Agreement State license authorizing use of radioactive materials.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).

§ 17–30350.3. Notification of Incidents and Lost Sources; Abandonment Procedures for Irretrievable Sources.

(a) The licensee shall immediately notify the Department by telephone and subsequently, within 30 days, by confirmation letter if the licensee knows or has reason to believe that a sealed source has been ruptured. The letter must designate the well or other location, describe the magnitude and extent of the escape of radioactive materials, assess the consequences of the rupture, and explain efforts planned or being taken to mitigate these consequences.

(b) If a sealed source becomes lodged in a well, and when it becomes apparent that efforts to recover the sealed source will not be successful, the licensee shall:

(1) Notify the Department by telephone of the circumstances that resulted in the inability to retrieve the source and:

(A) Obtain approval to implement abandonment procedures; or

(B) Report that abandonment was implemented before receiving Department approval because the licensee believed there was an immediate threat to public health and safety;

(2) Advise the well owner or operator, as appropriate, of the abandonment procedures under section 30346(a)(5); and

(3) Either ensure that abandonment procedures are implemented within 30 days after the sealed source has been classified as irretrievable or request an extension of time if unable to complete the abandonment procedures.

(c) The licensee shall, within 30 days after a sealed source has been classified as irretrievable, make a report in writing to the Department. The licensee shall send a copy of the report to each appropriate State or Federal agency that issued permits or otherwise approved of the drilling operation. The report shall contain the following information:

(1) Date of occurrence;

(2) A description of the irretrievable well logging source involved including the radionuclide and its quantity, chemical, and physical form;

(3) Surface location and identification of the well;

(4) Results of efforts to immobilize and seal the source in place;

(5) A brief description of the attempted recovery effort;

(6) Depth of the source;

(7) Depth of the top of the cement plug;

(8) Depth of the well;

(9) If the licensee implemented abandonment procedures prior to Department approval pursuant to subsection (b)(1)(B), the reasons why the licensee believed there was an immediate threat to public health and safety including any documents on which those reasons are based;

(10) Any other information, such as a warning statement, contained on the permanent identification plaque; and

(11) State and Federal agencies receiving a copy of this report.

NOTE: Authority cited: Sections 100275 and 115000, Health and Safety Code. Reference: Sections 114965, 114970, 115060, 115230 and 115235, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).
2. Repealer of subsection (b) and subsection redesignation filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).
4. Amendment of subsection (b)(1), new subsections (b)(1)(A)–(B), amendment of subsection (b)(2), new subsection (b)(9), subsection renumbering and amendment of NOTE filed 3–1–2007; operative 3–31–2007 (Register 2007, No. 9).

§ 17–30353. Particle Accelerators for Well Logging.

(a) Registrants who use particle accelerators for well logging purposes shall comply with Group 1.5, and Articles 1, 3, 4, and 13 of Group 3.

(b) No registrant shall permit above ground testing of particle accelerators designed for use in well logging which results in the production of radiation except in areas or facilities controlled or shielded so that the requirements of the United States, title 10, Code of Federal Regulations, part 20, subpart C and D as incorporated by reference in section 30253 are met.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, and 25815, Health and Safety Code.

HISTORY

1. New section filed 11–4–91; operative 12–4–91 (Register 92, No. 5).
2. Amendment of subsection (b) filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.

3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30355. Appendix A. Concentrations in Air and Water Above Natural Background.

NOTE: Authority cited: Sections 102, 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendment filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For former section see Register 62, No. 1, and 63, No. 26.
2. Repealer and new section filed 11–16–67; effective thirtieth day thereafter (Register 67, No. 46).
3. Amendment filed 7–22–71; effective thirtieth day thereafter (Register 71, No. 30).
4. Amendment filed 6–19–73; effective thirtieth day thereafter (Register 73, No. 25).
5. Amendment filed 7–7–86; effective thirtieth day thereafter (Register 86, No. 28).
6. Repealer of article 12 heading and section filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30356. Appendix B.

HISTORY

1. Amendment filed 6–19–73; effective thirtieth day thereafter (Register 73, No. 25). For prior history, see Register 71, No. 46.
2. Repealer filed 3–3–94 as an emergency; operative 3–3–94 (Register 94, No. 9). A Certificate of Compliance must be transmitted to OAL by 7–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–3–94 order transmitted to OAL 6–7–94 and filed 7–14–94 (Register 94, No. 28).

§ 17–30358. Form RH 2365—Current Occupational External Radiation Exposure.

NOTE: Authority cited: Sections 208 and 25811, Health and Safety Code. Reference: Sections 25801, 25802, 25815, 25875 and 25876, Health and Safety Code.

HISTORY

1. Amendment filed 5–13–69; effective thirtieth day thereafter (Register 69, No. 20).
2. Repealer filed 6–18–87; operative 7–18–87 (Register 87, No. 28).

§ 17–30373. Transportation Regulations.

(a) No person shall transport any radioactive material outside the confines of that person's facility or other authorized location of use, or offer any radioactive material to a carrier for transportation, unless that person complies with applicable requirements of the regulations, appropriate to the mode of transport, of the United States Federal Government in 10 CFR, Part 71 (as effective November 30, 1988) insofar as such regulations relate to the packaging of radioactive material, marking and labeling of the packages, loading and storage of packages, placarding of the transportation vehicle, monitoring requirements and accident reporting.

(b) Persons are exempt from this regulation to the extent that they transport any radioactive material or offer any radioactive material to a carrier for transportation where such transportation is subject to the exclusive jurisdiction of the United States Federal Government.

(c) Physicians are exempt from the requirements of this section to the extent that they transport radioactive material for use in the practice of medicine.

NOTE: (1) Authority cited: Sections 208, 25611, 25651 and 25811, Health and Safety Code. Reference: Sections 25606 and 25611, Health and Safety Code.

NOTE: (2) Copies of Title 10, Code of Federal Regulations —Energy, are for sale by the Superintendent of Documents, U.S.Government Printing Office, Washington, D.C. 20402.

HISTORY

1. Repealer of group 4 and new group 4 (sections 30365–30380) filed 11–29–65; effective thirtieth day thereafter (Register 65, No. 23). For prior history, see Register 62, No. 1.
2. Repealer of article 1 (sections 30365, 30366 and 30368); repealer of article 2 (section 30370); renumbering and amendment of former article 3 (section 30373) to article 1 (section 30373); repealer of article 4 (section 30378) and repealer of article 5 (section 30380) filed 6–6–85; effective thirtieth day thereafter (Register 85, No. 23). For prior history, see Registers 76, No. 4; 73, No. 25; 69, No. 20; and 67, No. 46.
3. Change without regulatory effect of NOTE (Register 88, No. 6).
4. Amendment of subsection (a) filed 9–16–92; operative 10–16–92 (Register 92, No. 38).

§ 17–30400. Fluoroscopy.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25668, Health and Safety Code.

HISTORY

1. New Subchapter 4.5 (Sections 30400–30438) filed 12–3–70; effective thirtieth day thereafter (Register 70, No. 49).
2. Repealer of Group 1 (Articles 1–6, Sections 30400–30407 and Articles 8–10, Sections 30409–30411); repealer of Group 2 (Articles 1–4, Sections 30412–30419); repealer of Group 3 (Articles 1–9, Sections 30420–30437.1); repealer of Group 5 (Articles 1–6, Sections 30439–30451, not consecutive); repealer of Group 6 (Articles 1–6, Sections 30460–30468, not consecutive) and new Group 1 (Articles 1–5, Sections 30400–30405); new Group 2 (Articles 1–7, Sections 30420–30436, not consecutive); new Group 3 (Articles 1 and 2, Sections 30440–30447); new Group 4 (Article 1, Sections 30450–30452); and new Group 5 (Article 1, Sections 30460–30468) filed 8–21–85; effective thirtieth day thereafter (Register 85, No. 34). For prior history, see Registers 78, No. 10; 76, No. 49; 76, No. 4; 72, No. 32; 72, No. 26; 71, No. 41; 71, No. 25; 71, No. 17 and 71, No. 16.
3. Renumbering of former section 30400 to new section 30400.40 filed 10–29–2001; operative 11–28–2001 (Register 2001, No. 44).

§ 17–30400.40. Fluoroscopy.

"Fluoroscopy" means a radiological examination utilizing fluorescence for the observation of the transient image.

NOTE: Authority cited: Sections 100275 and 114870(a), Health and Safety Code. Reference: Sections 106965, 107110, 114870(b), (c) and (e), Health and Safety Code.

HISTORY

1. Renumbering of former section 30400 to new section 30400.40, including amendment of NOTE, filed 10–29–2001; operative 11–28–2001 (Register 2001, No. 44).

§ 17–30400.85. Radiography.

"Radiography" means the recording of static images on any suitable medium by passing X–rays through portions of the human body, and includes one or more of the following:

(a) Positioning the patient.

(b) Selecting exposure factors.

(c) Exposing the patient and the recording medium to X–rays.

NOTE: Authority cited: Sections 100275 and 114870(a), Health and Safety Code. Reference: Sections 106965, 106975, 107045, 107110, 114850, 114870(b), (c) and (e), Health and Safety Code.

HISTORY

1. Renumbering of former section 30401 to new section 30400.85, including amendment of NOTE, filed 10–29–2001; operative 11–28–2001 (Register 2001, No. 44).

§ 17–30401. Radiography.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25668, Health and Safety Code.

HISTORY

1. Renumbering of former section 30401 to new section 30400.85 filed 10–29–2001; operative 11–28–2001 (Register 2001, No. 44).

§ 17–30402. Special Permits.

(a) To obtain a special permit an applicant shall have on file with the Department a complete application.

(b) The Department considers an application for a special permit complete if all of the following conditions have been met:

(1) Application is made on forms furnished by the Department.

(2) Fee is paid pursuant to Section 30408.

(3) The application is accompanied by:

(A) A statement from a licentiate of the healing arts who holds a certificate or permit issued pursuant to Sections 30466 or 30467 attesting that efforts to employ a Certified Radiologic Technologist were unsuccessful.

(B) A copy of a notice of employment opportunity for a radiologic technologist in a local newspaper or periodical for the position for which the special permit is being sought.

(4) The Department ascertains, by reviewing X–ray machine registration records, that no other medical X–ray facility capable of providing the

same radiologic health care that would be delivered at the applicant's facility is available in the locality where the special permit is being sought.

(c) Special permits shall be issued for a period of time not to exceed one year.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25670, Health and Safety Code.

§ 17–30403. Requirements for Continuing Education and Performance of Mammographic Examinations.

(a) Each individual certified or permitted pursuant to sections 30440, 30444, and/or 30451 shall, in the two years immediately preceding the expiration date of the certificate or permit, earn 24 approved continuing education credits, except that each individual who is certified pursuant to sections 30440(a) and 30455.1 shall meet the requirements of subsection (c).

(b) Each individual certified or permitted pursuant to sections 30466 and 30467 shall, in the two years immediately preceding the expiration date of the certificate or permit, earn 10 approved continuing education credits.

(c) Each individual certified pursuant to sections 30440(a) and 30455.1 shall, in the two years immediately preceding the expiration date of the certificate or permit:

(1) Earn 24 approved continuing education credits, 10 of which shall be in mammography; and

(2) Perform at least 200 mammographic examinations.

(d) The two-year period referred to in subsections (a), (b) and (c) and in section 30403.5 shall begin on the expiration date of the certificate or permit:

(1) In the year 2001 for individuals with a certificate or permit that ends in an odd number; and

(2) In the year 2002 for individuals with a certificate or permit that ends in an even number.

NOTE: Authority cited: Sections 100275 and 114870(a) Health and Safety Code. Reference: Sections 106965, 106995, 107015, 107070, 107110, 114840, 114845, 114870(b), (c) and (e), Health and Safety Code.

HISTORY

1. Amendment of article 3 heading and repealer and new section heading, section and NOTE filed 10–29–2001; operative 11–28–2001 (Register 2001, No. 44).

§ 17–30404. Display.

(a) Any radiologic technologist who holds a certificate pursuant to Section 30440 or a fluoroscopy permit pursuant to Section 30451 shall prominently display such certificate or permit, or a copy thereof, at each place where the technologist performs activities which require a radiologic technologist certificate or permit.

(b) Any limited permittee who holds a permit pursuant to Section 30444 shall prominently display such permit, or a copy thereof, at each place where the limited permittee performs functions which require a limited permit.

(c) Any licentiate who holds a certificate or permit pursuant to Sections 30466 or 30467 shall prominently display such certificate or permit, or a copy thereof, at each place of practice where the licentiate performs activities which require a licentiate certificate or permit.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Sections 25671 and 25699, Health and Safety Code.

§ 17–30405. Deadlines.

(a) For purposes of this subchapter:

(1) Submission of an application or information, documents, or fees supporting an application shall be deemed to occur on the date the application, information, documents, or fees are received by the Department.

(2) An application is considered complete when all documents, information, or fees required to be submitted on or with the application have been received by the Department, and the applicant has passed required examinations.

(3) Written notification by the Department to applicants shall be deemed to occur on the date the notifications are postmarked.

(b) The Department shall notify the applicant, within 30 calendar days of submission of an application for any certificate or permit issued under this subchapter, of one of the following:

(1) That the application is complete and the Department's decision regarding the application.

(2) That the application is not accepted for filing and what specific information, documentation or fee the applicant shall submit within 30 calendar days in order for the Department to consider the application acceptable.

(3) That the application is acceptable and what examinations the applicant shall pass within 180 calendar days in order to complete the application.

(c) The Department shall deem an application to have been withdrawn by any applicant who fails to:

(1) Within 30 calendar days of notification pursuant to subsection (b), respond to the Department's request to submit specific information, documentation or fee, or

(2) Within 180 calendar days of notification pursuant to subsection (b), pass Department-approved examinations.

(d) Any applicant deemed by the Department to have withdrawn an application pursuant to paragraph (c) may reapply by submitting a new application.

(e) The Department's time periods for processing an application, from the date the initial application is received by the Department to the date the application is complete and the final decision is made regarding any certificate or permit issued under this subchapter are as follows:

(1) The median time for processing an application is 90 calendar days.

(2) The minimum time for processing an application is one day.

(3) The maximum time for processing an application is 240 calendar days.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 15376, Government Code.

§ 17–30408. Fees.

(a) For any certificate or permit issued pursuant to this subchapter in accordance with the Radiologic Technology Act (Health and Safety Code section 27(f)), the application fee shall be $85.00 for licentiates and $75.00 for technologists and limited permittees. If required to pass an examination to obtain the certificate or permit, the examination fee shall be $75.00 for each examination administered by the Department or as specified by the entities or organizations designated by the Department to administer Department-approved examinations.

(b) The fee for repeating an examination failed within the previous 12 months shall be $75.00 per examination.

(c) Each individual applying to renew a certificate or permit shall pay an annual renewal fee of $35.00. The renewal fee shall be collected biennially and such fee shall be twice the annual renewal fee.

(d) The fee for a duplicate certificate or permit shall be $1.09.

(e) The penalty fee for renewal of any expired certificate or permit shall be $5.44 and shall be in addition to the fee for renewal.

(f) Failure to pay the annual fee for renewal on or before the expiration date of the certificate or permit shall automatically suspend the certificate or permit. If the annual renewal fee is not paid within six months following such date, the certificate or permit shall be revoked. A certificate or permit revoked for nonpayment of the renewal fee may be reinstated within five years from the time of revocation upon payment of the penalty fee specified in subsection (e) plus twice the annual renewal fee specified in subsection (c). If the application for reinstatement is not made within five years from the date of suspension of the certificate or permit, the certificate or permit shall be canceled and shall not be subject to reinstatement.

(g) Each person applying to be an approved school of radiologic technology shall pay an application fee of $1,175.00 with the application for approval.

(h) Each approved school of radiologic technology shall, on or before the anniversary of the effective date of approval, pay a fee of $190.00

and, for each physical location where clinical education is given, a fee of $110.00

(i) Each person approved as a limited permit X–ray technician school pursuant to sections 30424, 30425, 30427, or 30427.2 that requests approval to provide training in a new limited permit category as specified in sections 30442 and 30443 shall pay an application fee of $430.00 with the application for approval.

(j) Any school failing to pay the annual fees by the anniversary of the effective date of the approval shall immediately cease operations requiring Department approval until such time as the annual fees and a late fee of 25 percent of the annual fees has been paid.

(k) Fees required by this section shall be nonrefundable.

NOTE: Authority cited: Sections 100275, 114870 and 115000, Health and Safety Code. Reference: Sections 107080, 107085, 107090, 107095 and 107100, Health and Safety Code.

HISTORY

1. Amendment filed 3–7–78; effective thirtieth day thereafter (Register 78, No. 10).
2. Amendment of subsections (a)–(f), and adoption of subsections (g), (h), and NOTE filed 11–1–93 as an emergency; operative 11–1–93 (Register 93, No. 45). A Certificate of Compliance must be transmitted to OAL by 3–1–94 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 11–1–93 order transmitted to OAL 2–24–94; disapproved by OAL 4–7–94 (Register 94, No. 27).
4. Amendment of subsections (a)–(f) and new subsections (g)–(h) and NOTE refiled 7–6–94 as an emergency; operative 7–6–94 (Register 94, No. 27). A Certificate of Compliance must be transmitted to OAL by 11–3–94 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 7–6–94 order transmitted to OAL 6–30–94 and filed 7–20–94 (Register 94, No. 29).
6. Amendment of section and NOTE filed 6–22–2005 as an emergency; operative 6–22–2005 (Register 2005, No. 25). A Certificate of Compliance must be transmitted to OAL by 10–20–2005 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 6–22–2005 order transmitted to OAL 9–20–2005 and filed 10–18–2005 (Register 2005, No. 42).

§ 17–30428. Approval of On–the–Job Training.

(a) In order to be approved by the Department as an on–the–job training program, the supervisor and operator and the prospective student of radiologic technology shall submit to the Department an application for each limited permit category on forms furnished by the Department.

(b) The application for approval shall include a training schedule for each limited permit category applied for.

(c) The standards for approval of on–the–job training programs shall be those standards required of approved schools for limited permits as outlined in Sections 30424 and 30425 or for limited permit courses of study as outlined in Section 30427.

(d) Limited permit categories for on–the–job training programs shall be restricted to the categories listed in Section 30442.

(e) Each approved on–the–job training program shall meet and maintain all applicable standards set forth in this section and in Sections 30424, 30425 and 30427. Failure of an applicant to meet the applicable standards shall be grounds for denial of approval. Failure of an approved on–the–job training program to maintain any of the applicable standards shall be grounds for suspension or revocation of approval.

NOTE: Authority cited: Section 114870(a), Health and Safety Code. Reference: Section 114875, Health and Safety Code.

HISTORY

1. Amendment of subsections (c) and (e) and NOTE filed 11–24–98; operative 12–24–98 (Register 98, No. 48).

§ 17–30440. Issuance of Certificates.

To obtain a radiologic technology certificate an applicant shall have on file with the Department an application as described in Section 30441, and in addition:

(a) For the diagnostic radiologic technology certificate, shall pass Department–approved examinations in:

(1) Diagnostic radiation protection and safety, and

(2) Diagnostic radiologic technology.

(b) For the therapeutic radiologic technology certificate, shall pass Department–approved examinations in:

(1) Therapeutic radiation protection and safety, and

(2) Therapeutic radiologic technology.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Sections 25668(b) and 25677, Health and Safety Code.

HISTORY

1. New Group 3 (Articles 1 and 2, Sections 30440–30447) filed 8–21–85; effective thirtieth day thereafter (Register 85, No. 34). For prior history, see Registers 78, No. 10; 72, No. 32; 72, No. 26; and 71, No. 16.

§ 17–30441. Acceptable Applications.

The Department considers an application for a radiologic technologist certificate acceptable if all of the following conditions have been met:

(a) Application is made on forms furnished by the Department.

(b) Fee is paid pursuant to Section 30408.

(c) Appropriate radiologic technologist school graduation diploma or certificate is submitted.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25675, Health and Safety Code.

HISTORY

1. Change without regulatory effect amending subsection (a) filed 11–1–91 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 5).

§ 17–30442. Categories.

The categories for limited permits are:

(a) Chest radiography.

(b) Dental laboratory radiography.

(c) Dermatology X–ray therapy.

(d) Extremities radiography.

(e) Gastrointestinal radiography.

(f) Genitourinary radiography.

(g) Leg–podiatric radiography.

(h) Skull radiography.

(i) Torso–skeletal radiography.

(j) X–ray bone densitometry.

NOTE: Authority cited: Section 114870(a), Health and Safety Code. Reference: Section 114870(c), Health and Safety Code.

HISTORY

1. New subsection (k) and amendment of NOTE filed 9–15–97 as an emergency; operative 9–15–97 (Register 97, No. 38). A Certificate of Compliance must be transmitted to OAL by 1–13–98 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 9–15–97 order, including amendment of subsection (k), transmitted to OAL 1–8–98 and filed 2–24–98 (Register 98, No. 9).
3. Repealer of subsection (h) and subsection relettering filed 11–24–98; operative 12–24–98 (Register 98, No. 48).

§ 17–30443. Scopes.

The scope of each limited permit is as follows:

(a) Chest radiography permit: radiography of the heart and lungs.

(b) Dental laboratory radiography permit: radiography of the intra–oral cavity, skull, and hand and wrist, for dental purposes.

(c) Dermatology X–ray therapy permit: application of X–ray to human beings for the treatment of diseases and tumors of the skin.

(d) Extremities radiography permit: radiography of the upper extremities, including shoulder girdle, and lower extremities, excluding pelvis.

(e) Gastrointestinal radiography permit: radiography of the esophagus, stomach, small and large intestine, and biliary tract.

(f) Genitourinary radiography permit: radiography of the kidneys, ureters, urinary bladder, urethra, and internal and external genitalia.

(g) Leg–podiatric radiography permit: radiography of the knee, tibia and fibula, and ankle and foot.

(h) Skull radiography permit: radiography of the bone and soft tissues of the skull and upper neck.

(i) Torso–skeletal radiography permit: radiography of the shoulder girdle, rib cage and sternum, vertebral column, pelvis and hip joints.

(j) X–ray bone densitometry permit: radiography of the total skeleton or part thereof, using X–ray bone densitometry.

NOTE: Authority cited: Section 114870(a), Health and Safety Code. Reference: Section 114870(c), Health and Safety Code.

HISTORY

1. New subsection (k) and amendment of NOTE filed 9–15–97 as an emergency; operative 9–15–97 (Register 97, No. 38). A Certificate of Compliance must be transmitted to OAL by 1–13–98 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 9–15–97 order, including amendment of subsection (k), transmitted to OAL 1–8–98 and filed 2–24–98 (Register 98, No. 9).
3. Repealer of subsection (h) and subsection relettering filed 11–24–98; operative 12–24–98 (Register 98, No. 48).

§ 17–30444. Issuance of Limited Permits.

To obtain any of the limited permits described in Section 30442 an applicant shall fulfill all of the following conditions:

(a) Have on file with the Department an application, as described in Section 30445, for each permit applied for, and

(b) Pass Department approved examinations in:

(1) Radiation protection and safety, for each permit category applied for, and

(2) Radiologic technology, for each permit category applied for.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Sections 25668(c) and 25675, Health and Safety Code.

§ 17–30445. Acceptable Applications.

The Department considers an application for a limited permit acceptable if all of the following conditions have been met:

(a) An application is made for each permit on forms furnished by the Department.

(b) Fee is paid pursuant to Section 30408.

(c) For each permit requested an applicant submits any of the following:

(1) A limited permit X–ray technician school graduation diploma or certificate and evidence of completion of clinical training in the limited permit category applied for.

(2) A statement, signed by the supervisor and operator who provided the training, attesting that the applicant has completed Department–approved on–the–job training in the limited permit category applied for.

(3) A resume showing that education, training, and clinical experience is equivalent to the limited permit X–ray technician school curriculum in the limited permit category applied for.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25675, Health and Safety Code.

§ 17–30447. Restrictions.

(a) Limited permits issued pursuant to section 30444 exclude authorization to:

(1) Operate fluoroscopy equipment during exposure of a patient to X–rays.

(2) Operate portable or mobile X–ray equipment.

(3) Perform procedures involving computerized tomography.

(4) Perform mammography procedures.

(5) Perform vascular procedures.

(6) Perform procedures involving scanned projection radiography (digital radiography or digital tomography), or digital fluorography.

(b) Exclusions listed in subsections (a)(2) and (a)(6) shall not apply to individuals who possess a current and valid limited permit in X–ray Bone Densitometry, issued pursuant to section 30444.

(c) The exclusions listed in subsection (a)(6) shall not apply to individuals who possess a current and valid limited permit in Dental Laboratory Radiography, issued pursuant to section 30444.

NOTE: Authority cited: Sections 100275 and 114870(a), Health and Safety Code. Reference: Sections 106965, 106975, 114845, 114850, 114870(c), 114875 and 114880, Health and Safety Code.

HISTORY

1. Amendment of section and NOTE filed 10–29–2001; operative 11–28–2001 (Register 2001, No. 44).

§ 17–30450. Permit Requirement.

A radiologic technologist fluoroscopy permit issued by the Department shall be required of any technologist who exposes a patient to X–rays in a fluoroscopy mode, or who does one or more of the following during fluoroscopy of a patient:

(a) Positions the patient.

(b) Positions the fluoroscopy equipment.

(c) Selects exposure factors.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Sections 25668(c) and 25675, Health and Safety Code.

HISTORY

1. New Group 4 (Article 1, Sections 30450–30452) filed 8–21–85; effective thirtieth day thereafter (Register 85, No. 34). For prior history, see Register 78, No. 10.

§ 17–30451. Issuance of Technologist Fluoroscopy Permits.

To obtain a radiologic technologist fluoroscopy permit an applicant shall fulfill all of the following:

(a) File with the Department an application as described in Section 30452, and

(b) Pass Department–approved examinations in:

(1) Fluoroscopy radiation protection and safety, and

(2) Use of fluoroscopy and ancillary equipment.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Sections 25668(c) and 25675, Health and Safety Code.

§ 17–30452. Acceptable Applications.

The Department considers an application for a radiologic technologist fluoroscopy permit acceptable if all of the following conditions have been met:

(a) Application is made on forms furnished by the Department.

(b) Fee is paid pursuant to Section 30408.

(c) The technologist submits one of the following:

(1) A copy of technologist fluoroscopy school graduation diploma or certificate.

(2) A resume showing that education, training and experience is equivalent to that of the radiologic technologist fluoroscopy school curriculum as specified in Section 30423.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25675, Health and Safety Code.

§ 17–30455.1. Issuance of a Mammographic Radiologic Technology Certificate.

(a) To obtain a Mammographic Radiologic Technology Certificate an applicant shall hold a valid and current Diagnostic Radiologic Technology Certificate issued pursuant to Section 30440(a) and shall comply with all of the following:

(1) File with the Department a complete application on the Department form entitled "Application for a Certificate in Radiologic Technology", Form DHS 8200 (6/96);

(2) Submit a fee pursuant to Section 30408;

(3) Submit evidence of having been awarded a mammographic radiologic technology school graduation diploma or certificate; and

(4) Pass a Department examination in mammography technology, including radiation protection and mammography quality assurance.

(b) The following may be substituted for the requirement in subsection (a)(3) with respect to applications filed prior to July 1, 2000:

(1) Advanced certification in mammography issued to the applicant by the American Registry of Radiologic Technologists; or

(2) Evidence of having completed 40 hours of continuing education in mammography courses.

NOTE: Authority cited: Sections 100275 and 114870, Health and Safety Code. Reference: Sections 114840, 114845 and 114870, Health and Safety Code.

HISTORY

1. New group 4.5, article 1, and section filed 11–1–93 as an emergency; operative 11–1–93 (Register 93, No. 45). A Certificate of Compliance must be trans

[The next page is 161.]

mitted to OAL by 3–1–94 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 11–1–93 order transmitted to OAL 2–24–94; disapproved by OAL 4–7–94 (Register 94, No. 27).
3. New group 4.5, article 1 and section refiled with amendments 7–6–94 as an emergency; operative 7–6–94 (Register 94, No. 27). A Certificate of Compliance must be transmitted to OAL by 11–3–94 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 7–6–94 order transmitted to OAL 6–30–94 and filed 7–20–94 (Register 94, No. 29).
5. Amendment of subsections (a)(1), (a)(2), (b) and (b)(2), repealer of subsection (b)(3) and amendment of subsection (c) and NOTE filed 7–26–96 as an emergency; operative 7–26–96 (Register 96, No. 30). A Certificate of Compliance must be transmitted to OAL by 11–25–96 or emergency language will be repealed by operation of law on the following day.
6. Editorial correction of subsection (b) (Register 96, No. 49).
7. Certificate of Compliance as to 7–26–96 order transmitted to OAL 11–1–96 and filed 12–2–96 (Register 96, No. 49).
8. Amendment of subsection (b) and repealer of subsection (c) filed 7–29–98; operative 8–28–98 (Register 98, No. 31).

§ 17–30460. Licentiate Certificate.

The certificate category for licentiates of the healing arts is: Radiology supervisor and operator.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25668(e), Health and Safety Code.

HISTORY

1. New Group 5 (Article 1, Sections 30460–30468) filed 8–21–85; effective thirtieth day thereafter (Register 85, No. 34). For prior history, see Registers 78, No. 10; 72, No. 26 and 71, No. 41.

§ 17–30461. Licentiate Permits.

The permit categories for licentiates of the healing arts are:

(a) Fluoroscopy supervisor and operator.

(b) Radiography supervisor and operator.

(c) Dermatology supervisor and operator.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25668(e), Health and Safety Code.

§ 17–30462. Radiology Certificate.

A radiology supervisor and operator certificate issued by the Department shall be required of any licentiate of the healing arts who practices as a radiologist.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25668(e), Health and Safety Code.

§ 17–30463. Fluoroscopy Permits.

A fluoroscopy supervisor and operator permit issued by the Department shall be required of any licentiate of the healing arts who does one or more of the following:

(a) Actuates or energizes fluoroscopy equipment.

(b) Directly controls radiation exposure to the patient during fluoroscopy procedures.

(c) Supervises one or more persons who hold radiologic technologist fluoroscopy permits pursuant to Section 30451.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25668(e), Health and Safety Code.

§ 17–30464. Radiography Permits.

A radiography supervisor and operator permit issued by the Department shall be required of any licentiate of the healing arts who does one or more of the following:

(a) Actuates or energizes radiography X–ray equipment.

(b) Supervises one or more persons who hold radiologic technologist certificates pursuant to Section 30440(a).

(c) Supervises one or more persons who hold limited permits pursuant to Section 30444.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25668(e), Health and Safety Code.

§ 17–30465. Dermatology Permits.

A dermatology supervisor and operator permit issued by the Department shall be required of any licentiate of the healing arts who practices dermatology and who uses X–ray therapy equipment for the treatment of diseases and tumors of the skin.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25668(e), Health and Safety Code.

§ 17–30466. Issuance of Licentiate Certificates or Permits.

To obtain a licentiate certificate or any licentiate permit an applicant shall have on file with the Department an application as described in Section 30468, and in addition:

(a) For obtaining a fluoroscopy supervisor and operator permit, shall pass a Department approved examination in fluoroscopy radiation protection and safety, and use and supervision of use of fluoroscopy and ancillary equipment.

(b) For obtaining a radiography supervisor and operator permit, shall pass a Department approved examination in radiography radiation protection and safety, and use and supervision of use of radiography and ancillary equipment.

(c) For obtaining a dermatology supervisor and operator permit, shall pass a Department approved examination in dermatology radiation protection and safety, and application and supervision of application of X–rays for treating diseases and tumors of the skin.

(d) For obtaining a radiology supervisor and operator certificate, shall pass examinations specified in subsections (a) and (b) of this section, unless qualified for a certificate pursuant to Section 30467.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25668(e), Health and Safety Code.

§ 17–30467. Certification of Qualified Licentiates.

An applicant who is certified by the American Board of Radiology or the American Osteopathic Board of Radiology, upon submission of an application, fee and documentary evidence of board certification, shall be issued a radiology supervisor and operator certificate.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25699.1, Health and Safety Code.

§ 17–30468. Acceptable Applications.

The Department considers an application for a licentiate certificate or permit acceptable if:

(a) Application is made on forms furnished by the Department.

(b) Fee is paid pursuant to Section 30408, and

(c) Evidence is provided that the applicant has one of the following valid California healing arts licenses:

(1) Physician and surgeon.

(2) Osteopathic physician and surgeon.

(3) Podiatrist.

(4) Chiropractor.

NOTE: Authority cited: Section 25668(a), Health and Safety Code. Reference: Section 25668(e), Health and Safety Code.

§ 17–30470. Low–Level Radioactive Waste Disposal.

The regulations governing low–level radioactive waste in the U.S. Government Code of Federal Regulations (CFR), Title 10, Code of Federal Regulations Part 61, as published in the Federal Register on June 22, 1993 (58 Fed. Reg. 33886) are hereby adopted by reference with the following exceptions:

(a) The Department of Health Services shall be substituted in all cases where Commission, Office of Nuclear Material Safety and Safeguards or U.S. Nuclear Regulatory Commission are cited and the Department of Industrial Relations shall be substituted in all cases where the U.S. Department of Labor is cited.

(b) The following sections are deleted: 61.4, 61.5, 61.8, 61.23(i), 61.23(j).

NOTE: Authority cited: Sections 100275, 115010, 115230 and 115235, Health and Safety Code. Reference: Section 115010, Health and Safety Code.

HISTORY

1. New Group 7 (Articles 1–8, Sections 30470–30499, not consecutive) filed 4–5–84 as an emergency; effective upon filing (Register 84, No. 14). No Certificate of Compliance required to be filed with OAL pursuant to Health and Safety Code Section 25812.
2. Editorial correction of HISTORY NOTE No. 1 and reprinting of Group 7 (Articles 1–8, Sections 30470–30499, not consecutive) which was inadvertently deleted in Register 85, No. 34. The text of Group 7 as filed with the Secretary of State on 4–5–84 remains in effect uninterrupted (Register 85, No. 45).
3. Amendment of first paragraph and NOTE filed 3–16–99; operative 4–15–99 (Register 99, No. 12).

§ 17–30471. Transfer for Disposal, Manifests and Record Keeping.

The regulations governing the transfer of radioactive materials and manifests in Title 10, Code of Federal Regulations, Parts 20.2006, 61.12(n), 61.80(f) and (*l*), as published in the March 27, 1995 Federal Register (60 Fed. Reg. 15649) are hereby incorporated by reference.

NOTE: Authority cited: Sections 100275, 115010, 115230 and 115235, Health and Safety Code. Reference: Section 115010, Health and Safety Code.

HISTORY

1. Amendment of section heading, section and NOTE filed 6–17–99; operative 7–17–99 (Register 99, No. 25).

§ 17–30473. Definitions.

(a) "Debt" means the obligations of the licensee or the named owner thereof which are fixed as to amount and which give the obligee rights as to assets of the licensee or any portion thereof which are superior to the rights of the licensee.

(b) "Equity" means the total book value of tangible and intangible assets which exceeds the amount of debt.

(c) "Letter of Acceptance" means a confirmation by the applicant that it agrees to be the license designee and commits itself to perform in accordance with statements, representations and procedures contained in its application.

(d) "Reasonable cost" means a cost which is reasonable if, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost.

NOTE: Authority cited: Sections 208 and 25812(b), Health and Safety Code. Reference: Section 25812(b), Health and Safety Code.

§ 17–30475. Proprietary Documents.

All documents submitted pursuant to the instructions in this group which are proprietary, private or confidential shall be so identified by the applying license designee or licensee as appropriate.

NOTE: Authority cited: Sections 208 and 25812(b), Health and Safety Code. Reference: Section 25812(b), Health and Safety Code.

§ 17–30477. Application for Selection as License Designee.

(a) Application for designation shall be made to the Department and shall be accompanied by a filing fee of ten thousand dollars.

(b) The application for designation shall contain all of the following:

(1) The information described in Title 10, Code of Federal Regulations, Part 61.11 and 61.12, as published in the December 28, 1982 Federal Register (Vol. 27, No. 248), except 61.11(c)(1), (2) and (3) and 61.12(a), (h) and (i).

(2) A description of any limitation in the site design which would restrict the receipt for disposal of low–level waste due to radiation levels, waste form, waste class or waste packaging.

(3) A description of the natural and demographic characteristics which will be emphasized in selection of the disposal site, including geologic, hydrologic, meteorologic, climatologic and biotic features of the disposal site and vicinity.

(4) A plan for community involvement in the site selection and development process, including brief descriptions of the applicant's experience with waste disposal or other developments requiring community involvement.

(5) The financial information called for in Title 10, Code of Federal Regulations, Parts 61.15, 61.61, 61.62, 61.63, as published in the December 28, 1982 Federal Register (Vol. 27, No. 248); a description of the sources of financing, the terms of financing; the filing of a financial pro forma; and revenue documentation.

(6) An estimate in 1984 dollars of the charges to be levied on waste received for disposal. The estimate shall assume the following:

(A) A preoperational period of five years, commencing in August 1984.

(B) An operating period of 20 years.

(C) A closure period of five years.

(D) Administrative controls extending for 100 years following the operating period.

(E) A site capacity of 250,000 cubic meters.

(F) A waste mix as described for Region 4 in Table D.9 "Untreated" Waste Volumes Projected to be Generated to the Year 2000 per Region (m^3), U.S. Nuclear Regulatory Commission, Draft Environmental Impact Statement on 10 CFR Part 61 NUREG–0782, Volume 3, September 1981.

NOTE: Authority cited: Sections 208, 25812.5(c) and 25812.5(e), Health and Safety Code. Reference: Sections 25812.5(c) and (e), Health and Safety Code.

§ 17–30479. Standards for Selecting the License Designee.

(a) The applicants shall be ranked in accordance with the degree to which their application demonstrates their ability to:

(1) Meet the financial standards and qualifications by reason of training, experience and character to carry out the disposal operations;

(2) Provide the best concept for site development and operation as required by Title 10, Code of Federal Regulations, Part 61.23, as published in the December 28, 1982 Federal Register (Vol. 27, No. 248) except that information which would pertain only to a specific site;

(3) Present an effective program to deal with concerns of the public regarding establishment of a low–level radioactive waste disposal site; and

(4) Establish, based on estimates, a reasonable schedule of charges for disposal of low–level radioactive waste.

NOTE: Authority cited: Sections 208 and 25812.5(c), Health and Safety Code. Reference: Section 25812.5(c), Health and Safety Code.

§ 17–30481. Acceptance by License Designee.

(a) The applicant ranked highest pursuant to Section 30479 shall, within five days of notification of its ranking, either:

(1) File a letter of acceptance, post a performance bond of one million dollars in favor of the Department and pay the annual license fee; or

(2) File a letter withdrawing their application.

(b) In the event that the highest ranked applicant withdraws its application, the next highest ranked applicant shall follow the processes set forth in Section 30481(a).

NOTE: Authority cited: Sections 208 and 25812.5(c), Health and Safety Code. Reference: Section 25812.5(c), Health and Safety Code.

§ 17–30483. Standards for Forfeiture of the Performance Bond.

(a) The performance bond posted pursuant to Section 30481 shall be forfeited upon:

(1) Declaration of insolvency or voluntary reorganization under the bankruptcy laws, or

(2) Failure to maintain the promised schedule and such failure is not the result of an act of God or Departmentally caused delay and the license designee cannot provide assurance that this delay will be remedied without jeopardizing the overall project schedule.

(3) Failure to comply with requirements of this group, or

(4) Failure to pay the performance bond premium 30 days prior to its expiration.

(b) Upon the issuance of the operating license the licensee shall be relieved of its obligation to maintain the performance bond.

NOTE: Authority cited: Sections 208 and 25812.5(f), Health and Safety Code. Reference: Section 25812.5(f), Health and Safety Code.

§ 17–30485. License Fee.

The license designee or the licensee shall pay an annual license fee of two–hundred fifty thousand dollars.

NOTE: Authority cited: Sections 208 and 25812(d), Health and Safety Code. Reference: Section 25812(d), Health and Safety Code.

§ 17–30487. Additional Licensee Requirements and Financial Assurances.

(a) The licensee shall retain a certified public accounting firm approved by the Department for the purpose of making reports and audits of the operation of the low–level radioactive waste disposal site.

(b) An unqualified audit statement shall be prepared annually with respect to all matters which bear upon the license designee's or the licensee's ability to operate pursuant to the Letter of Acceptance or license. The

unqualified annual audited statement shall be submitted to the Department no later than three months after the end of the license designee's or licensee's fiscal year in each year following the filing of the Letter of Acceptance, or issuance of the license.

(c) No security interest in the site shall be executed by the licensee without the consent of the Department which would give a creditor any right to stop the operation of the site.

NOTE: Authority cited: Sections 208 and 25812(b), Health and Safety Code. Reference: Section 25812(b), Health and Safety Code.

§ 17–30489. Funding for Disposal Site Closure and Stabilization.

(a) Funding for the approved plan for closure and stabilization shall be obtained from a closure surcharge of ten percent of the disposal charges levied by the licensee on disposers of low–level radioactive waste.

(b) The surcharge shall be deposited, within thirty days following collection, with a trustee approved by the Department, in a fund which shall be known as the Low–Level Radioactive Waste Disposal Site Closure Trust Fund. All balances in the fund shall be invested by the trustee in accordance with the investment standards set forth in Government Code, Section 16408.2.

(c) The amount of the financial assurance mechanism, Title 10, Code of Federal Regulations, Part 61.62, as published in the December 28, 1982 Federal Register (Vol. 27, No. 248), shall change as necessary to take into account both the increased costs of closure and the available balance in the Low–Level Radioactive Waste Disposal Site Closure Trust Fund. Changes in costs caused by inflation shall be calculated using an inflation factor derived from the annual Implicit Price Deflator for Gross National Product as published by the U.S. Department of Commerce in its Survey of Current Business. The inflation factor is calculated by dividing the latest published annual Deflator by the Deflator for the previous year.

(d) Payment for site closure and stabilization shall be made from the Low–Level Radioactive Waste Disposal Site Closure Trust Fund. Upon filing a petition to close, a licensee or any other person authorized to perform closure shall request payment for closure expenditures by submitting itemized bills to the trustee. The trustee is authorized to pay those bills which the trustee finds to be in accord with the approved plan and shall make reports of the expenditures to the Department quarterly in the first 12 months of closure and annually thereafter.

NOTE: Authority cited: Sections 208 and 25812(b), Health and Safety Code. Reference: Section 25812(b), Health and Safety Code.

§ 17–30491. Liability Insurance.

The licensee shall carry nuclear liability insurance of no less than ten million dollars for both sudden and accidental or slow and gradual contamination to people or property off site.

NOTE: Authority cited: Sections 208 and 25812(b), Health and Safety Code. Reference: Section 25812(b), Health and Safety Code.

§ 17–30493. Establishment and Approval of Rates.

(a) The licensee shall establish a schedule of rates for waste disposal subject to approval by the Department.

(b) The rates for disposing of waste shall remain in effect for no less than two years from the effective date of the rates and shall be subject to review by the Department biennially.

(c) Any proposal to establish or change disposal rates shall be made to the Department by the licensee or a waste generator.

NOTE: Authority cited: Sections 208 and 25812.7, Health and Safety Code. Reference: Section 25812.7, Health and Safety Code.

§ 17–30495. Calculation of the Rate Schedule.

(a) The rate schedule shall be determined by dividing the total rate base, as calculated pursuant to Section 30495(c), by the sum of the estimated or actual amounts of all classes of waste received.

(b) Twenty–two months following establishment of the rate schedule, the licensee shall furnish the Department with the actual monthly disposal volumes by class compared with those assumed for that year.

(c) The rate base shall be calculated by analyzing the following components:

(1) Amortization on a straight–line basis, over a 20 year operating period, of costs incurred prior to the start of site operations. Costs shall include:

(A) Site acquisition costs, including but not limited to acquiring the land for the low–level radioactive disposal site and deeding the land to the State;

(B) Licensing costs, including but not limited to the costs associated with initial site selection, and the development of any plans, reports, designs, manuals and schedules necessitated by this group;

(C) Site development costs, including but not limited to grading, development of roads, installation of fencing and lighting, or installation of a system of wells and air monitors;

(D) Administrative costs, incurred during the time between approval of the Letter of Acceptance and licensure that have not been included in prior items.

(2) Depreciation on a twenty year straight–line basis of all buildings and equipment used in the operation of the disposal site and not including those costs specified in Section 30495(c)(1).

(3) Site operating costs consisting of those necessary and reasonable costs incurred during the daily operations of the disposal site.

(A) Costs applicable to services, facilities, equipment or supplies furnished to the licensee by organizations related to the licensee by common ownership or control are includable as site operating costs for the purpose of rate determination at the actual cost to the related organization.

(B) Fines or penalties are not includable as site operating costs in the rate base.

(4) The actual interest costs for any necessary short–term or long–term debt provided that the borrowed funds were devoted to the disposal site.

(5) A return factor specified by the licensee.

NOTE: Authority cited: Sections 208 and 25812.7, Health and Safety Code. Reference: Section 25812.7, Health and Safety Code.

§ 17–30497. Rate Review Documentation.

(a) For the purpose of verifying the rate base upon which rates have been proposed or established, including any rate base changes affecting the calculating of proposed rates, the licensee shall supply the following reports:

(1) Semiannual reports of all costs specified in Section 30495(c) incurred prior to the issuance of the license.

(2) An annual financial report which includes data used or proposed to be used by the licensee in the calculation of the rate base and/or rates for disposal of waste. This report shall be due within three (3) months of the licensee's fiscal year.

(3) The books and records supporting the reports referred to in this section shall be maintained in a form capable of and subject to review and audit by the Department.

(4) All contracts made by the licensee which require payments by the licensee of five percent or more of the latest annual reported gross revenue shall require that an independent audit report be made available to the Department.

NOTE: Authority cited: Sections 208 and 25812.7, Health and Safety Code. Reference: Section 25812.7, Health and Safety Code.

§ 17–30499. Adjustment of Rate Schedule.

If the actual volumes differ by five percent or more from the estimated total for the twenty–two month period, the rates shall be adjusted on the biennial review date to reflect the over– or under–estimation.

NOTE: Authority cited: Sections 208 and 25812.7, Health and Safety Code. Reference: Section 25812.7, Health and Safety Code.

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 18. Air Resources Board

(Title 17)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 18. Air Resources Board

TABLE OF CONTENTS

Page

Division 18. Air Resources Board 165

Division 18. Air Resources Board

(Title 17)

§§ 17–70200.5—17–93324. [Removed]

HISTORY

1. Removal of sections 17–70200.5—17–93324 from title 26 filed 3–18–96 pursuant to Cal. Code Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 17 (Register 96, No. 12).

§§ 17–93330—17–93355. [Removed]

HISTORY

1. Removal of sections 17–93330—17–93355 from title 26 filed 3–25–96 pursuant to Cal. Code Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 17 (Register 96, No. 13).

§§ 17–94002—17–94149. [Removed]

HISTORY

1. Removal of sections 17–94002—17–94149 from title 26 filed 3–18–96 pursuant to Cal. Code Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 17 (Register 96, No. 12).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 18.1. State Board of Equalization

(Title 18)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 18.1. State Board of Equalization

TABLE OF CONTENTS

Page

Division 18.1. State Board of Equalization 167

§ 18–2231. Oil Spill Prevention and Administrative Fee Return.

§ 18–2232. Oil Spill Response Fee Return.

Division 18.1. State Board of Equalization
(Title 18)

§ 18–2231. Oil Spill Prevention and Administrative Fee Return.

(a) This regulation applies to the fees imposed for the period September 24, 1990 through December 12, 1990.

(b) Marine Terminal Operator – For the privilege of operating a marine terminal, an oil spill prevention and administration fee is imposed under article 6, section 8670.40 of chapter 7.4 of division 1 of Title 2 of the Government Code upon every marine terminal operator at the rate of four cents ($0.04) per barrel of oil delivered through the operator's marine terminal.

(c) Pipeline Operator – For the privilege of operating a pipeline, an oil spill prevention and administration fee is imposed under article 6, section 8670.40 of chapter 7.4 of division 1 of Title 2 of the Government Code upon every operator of a pipeline at the rate of four cents ($0.04) per barrel of oil transported into the state by means of a pipeline operating across, under, or through marine waters of this state.

(d) Each marine terminal operator and operator of a pipeline shall file a return with the State Board of Equalization on or before February 25, 1991 showing the number of barrels of oil delivered through a marine terminal or transported into the state by means of a pipeline operating across, under, or through marine waters of this state during the period September 24, 1990 through December 12, 1990. The fee due shall be remitted with the return.

NOTE: Authority cited: Section 8670.40, Government Code. Reference: Sections 8670.3 and 8670.48, Government Code.

HISTORY

1. New section filed 12–20–90 as an emergency; operative 12–20–90 (Register 91, No. 6). A Certificate of Compliance must be transmitted to OAL by 4–19–91 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 12–20–91 order including amendment of subsections (a) and (d) transmitted to OAL on 4–19–91 and filed 5–20–91 (Register 91, No. 26).

§ 18–2232. Oil Spill Response Fee Return.

(a) This regulation applies to the fees imposed for the period September 24, 1990 through December 12, 1990.

(b) For the privilege of operating a marine terminal, an oil spill response fee is imposed under article 7, section 8670.48 of chapter 7.4 of division 1 of Title 2 of the Government Code upon every marine terminal operator at the rate of twenty five cents ($0.25) per barrel of petroleum products received at a marine terminal within the state by means of a vessel from a point of origin outside the state and of crude oil that is transported from within the state by means of vessel to a destination outside the state.

(c) For the privilege of operating a pipeline, an oil spill response fee is imposed under article 7, section 8670.48 of chapter 7.4 of division 1 of Title 2 of the Government Code upon every operator of a pipeline at the rate of twenty five cents ($0.25) per barrel of petroleum products transported into the state by means of a pipeline and of crude oil transported out of the state.

(d) For the privilege of operating a refinery, an oil spill response fee is imposed under article 7, section 8670.48 of chapter 7.4 of division 1 of Title 2 of the Government Code upon every operator of a refinery at the rate of twenty five cents ($0.25) per barrel of crude oil received at a refinery within the state.

(e) Each marine terminal operator and each operator of a pipeline shall file a return with the State Board of Equalization, on a form prescribed by the board, (Form ET–501–OR (12–90) California Oil Spill Response Fee Return), showing the number of barrels of petroleum products received at a marine terminal by means of a vessel from outside this state or transported into the state by means of a pipeline.

(f) Each operator of a refinery or pipeline and each marine terminal operator shall file a return with the State Board of Equalization, on a form prescribed by the board, (ET–501–OR (12–90) showing the number of barrels of crude oil received at a refinery within the state, transported out of state by means of a pipeline or transmitted from within the state by means of a vessel to a destination outside the state.

(g) The oil spill response fee returns (ET–501–OR (12–90) will be due on or before February 25, 1991 for the period September 24, 1990 through December 12, 1990. The fee due shall be remitted with the return.

NOTE: Authority cited: Section 8670.48, Government Code. Reference: Sections 8670.3 and 8670.48, Government Code.

HISTORY

1. New section filed 12–20–90 as an emergency; operative 12–20–90 (Register 91, No. 6). A Certificate of Compliance must be transmitted to OAL by 4–19–91 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance including amendment transmitted to OAL 4–19–91 and filed 5–20–91 (Register 91, No. 26).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 19. State Fire Marshal

(Title 19)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 19. State Fire Marshal

TABLE OF CONTENTS

Page

Division 19. State Fire Marshal 169

§ 19–604. Construction.
§ 19–604.1. Prohibited Use of Water.
§ 19–604.2. Prohibited Locations.
§ 19–604.3. Recharge.
§ 19–604.4. Warning Label.
§ 19–604.5. Sales.
§ 19–2040. Fees.
§ 19–2041. Certification of Miles.
§ 19–2060. Approval Procedures.
§ 19–2070. Notice of Probable Violation.
§ 19–2071. Response Options.
§ 19–2072. Hearing.
§ 19–2073. Final Order.
§ 19–2074. Petitions for Reconsideration.
§ 19–2075. Payment of Penalty.

Division 19. State Fire Marshal

(Title 19)

§ 19–604. Construction.

HISTORY

1. Amendment filed 8–8–75; effective thirtieth day thereafter (Register 75, No. 32).
2. Repealer filed 12–28–2006; operative 1–27–2007 (Register 2006, No. 52).

§ 19–604.1. Prohibited Use of Water.

HISTORY

1. Repealer filed 12–28–2006; operative 1–27–2007 (Register 2006, No. 52).

§ 19–604.2. Prohibited Locations.

HISTORY

1. Repealer filed 12–28–2006; operative 1–27–2007 (Register 2006, No. 52).

§ 19–604.3. Recharge.

HISTORY

1. Repealer filed 12–28–2006; operative 1–27–2007 (Register 2006, No. 52).

§ 19–604.4. Warning Label.

HISTORY

1. Repealer filed 12–28–2006; operative 1–27–2007 (Register 2006, No. 52).

§ 19–604.5. Sales.

NOTE: Authority cited: Section 13160, Health and Safety Code. Reference: Sections 13160–13190.4, Health and Safety Code.

HISTORY

1. New section filed 8–8–75; effective thirtieth day thereafter (Register 75, No. 32). For history of former section, see Register 66, No. 9.
2. Amendment filed 11–15–80; effective thirtieth day thereafter (Register 80, No. 46).
3. Repealer filed 12–28–2006; operative 1–27–2007 (Register 2006, No. 52).

§ 19–2040. Fees.

In order to implement Chapter 5.5, of the Government Code, California Pipeline Safety Act of 1981, the following fees will be assessed on a fiscal year basis:

(a) Intrastate Pipelines

(1) Pipeline operator $6,000

(2) Charge per mile of pipeline operated $550

(3) Independent Hydrostatic Testing Firm $1,500

(b) Interstate Pipelines

(1) Pipeline Operator $6,000

(2) Charge Per Mile of Pipeline Operated $300

NOTE: Authority cited: Sections 51019 and 51019.05, Government Code. Reference: Sections 51010, 51013.5, 51014.5, 51019 and 51019.05, Government Code.

HISTORY

1. New Subchapter 14 (Article 3, Section 2040) filed 11–9–83 as an emergency; effective upon filing (Register 83, No. 46). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 3–9–84.
2. Editorial correction of section number filed 11–16–83 (Register 83, No. 46).
3. Certificate of Compliance transmitted to OAL 3–2–84 and filed 3–30–84 (Register 84, No. 13).
4. Amendment filed 6–25–86; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 86, No. 26).
5. Amendment filed 3–11–87; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 87, No. 11).
6. Change without regulatory effect of subsection (b) (Register 87, No. 29).
7. Amendment of subsections (a)(1)–(2) and (b)(1)–(2) filed 10–31–2007; operative 7–1–2008 (Register 2007, No. 44).

§ 19–2041. Certification of Miles.

Prior to November 1 of each year every operator of a pipeline, as defined in Section 51010.5, Government Code, shall certify to the Office of State Fire Marshal the total miles of pipelines owned, operated or leased by the operator within California for which the pipeline operator is responsible and not otherwise excluded by Section 51010.5, Government Code.

NOTE: Authority cited: Section 51011, Government Code. Reference: Sections 51019 and 51020, Government Code.

HISTORY

1. New section filed 12–7–84; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 84, No. 49).

§ 19–2060. Approval Procedures.

The approval of independent testing firms or persons by the State Fire Marshal shall be in accordance with procedures established in Sections 1.59 and 1.60, Title 19, California Administrative Code.

NOTE: Authority cited: Sections 51010 and 51014.5, Government Code. Reference: Section 51014.5, Government Code.

HISTORY

1. New Article 5 (Section 2060) filed 12–7–84; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 84, No. 49).

§ 19–2070. Notice of Probable Violation.

(a) "Hearing" means an informal conference or a proceeding for oral presentations. Unless otherwise specifically prescribed in this part, the use of "hearing" is not intended to require a hearing on the record in accordance with Chapter 5, Part 1, Division 3 of the Government Code.

(b) Except as otherwise provided by this subpart, the Office of State Fire Marshal, Division of Hazardous Liquid Pipelines Safety and Enforcement (hereinafter known as the Division) begins an enforcement proceeding by serving a notice of probable violation on a person charging him with a probable violation of the California Hazardous Liquid Pipeline Safety Act or any regulation or order issued thereunder.

(c) A notice of probable violation issued under this section shall include:

(1) Statement of the provisions of the laws, regulations or orders which the respondent is alleged to have violated and a statement of the evidence upon which the allegations are based;

(2) Notice of response options available to the respondent under Section 2071;

(3) If a civil penalty is proposed under Section 51018.6, Government Code, the amount of the proposed civil penalty and the maximum civil penalty for which respondent is liable under law; and

(4) If a compliance order is proposed under Section 51018.8, Government Code; a statement of the remedial action being sought in the form of a proposed compliance order.

(d) The Division may amend a notice of probable violation at any time prior to issuance of a final order under Section 2073. If an amendment includes any new material allegations of fact or proposes an increased civil penalty amount or new or additional remedial action under Section 51018.8, Government Code, the respondent shall have the opportunity to respond under Section 2071.

NOTE: Authority cited: Section 51018.6, Government Code. Reference: Section 51018.6, Government Code.

HISTORY

1. New Article 6 (Sections 2070–2075) filed 12–7–84; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 84, No. 49).

§ 19–2071. Response Options.

Within 30 days of the receipt of a notice of probable violation the respondent shall respond to the Division who issued the Notice in the following way:

(a) When the notice contains a proposed civil penalty

(1) Pay the proposed civil penalty as provided in Section 51018.6, Government Code and close the case;

(2) Submit an offer in compromise of the proposed civil penalty under paragraph (c) of this section and paragraph (a) of Section 2075;

(3) Submit written explanations, information or other materials in answer to the allegations or in mitigation of the proposed civil penalty; or

(4) Request a hearing under Section 2072.

(b) When the notice contains a proposed compliance order

(1) Agree to the proposed compliance order;

(2) Request the execution of a consent order;

(3) Object to the proposed compliance order and submit written explanations, information or other materials in answer to the allegations in the notice of probable violation; or

(4) Request a hearing under Section 2072.

(c) An offer in compromise under paragraph (a) of this section is made by submitting a check or money order for the amount offered to the Division, who forwards the offer to the State Fire Marshal, for action. If the offer in compromise is accepted by the State Fire Marshal, the respondent is notified in writing that the acceptance is in full settlement of the civil penalty action. If an offer in compromise submitted under paragraph (a) of this section is rejected by the State Fire Marshal, it is returned to the respondent with written notification. Within 10 days of his receipt of such notification, the respondent shall again respond to the Division in one or more of the ways provided in paragraph (a) of this section.

(d) Failure of the respondent to respond in accordance with paragraph (a) of this section or, when applicable, paragraph (c) of this section, constitutes a waiver of his right to contest the allegations in the notice of probable violation and authorizes the State Fire Marshal, without further notice to the respondent, to find facts to be as alleged in the notice of probable violation and to issue a final order under Section 2073.

NOTE: Authority cited: Section 51018.6, Government Code. Reference: Section 51018.6, Government Code.

§ 19–2072. Hearing.

(a) A request for a hearing in response to a notice of probable violation issued under Section 2070 must be accompanied by a statement of the issues which the respondent intends to raise at the hearing. The issues may relate to the alleged violations, new information or to the proposed compliance order or proposed civil penalty amount. A respondent's failure to specify an issue may result in waiver of his right to raise that issue at the hearing. The respondent's request may also indicate whether or not he will be represented by counsel at the hearing.

(b) In such circumstances as deemed appropriate by the Division, and only if the respondent concurs, a telephone conference may be held in lieu of a hearing.

(c) If the respondent contests any of the alleged violations, if the respondent is represented by counsel or if the respondent specifically requests that an attorney conduct the hearing, the Office of State Fire Marshal shall designate a presiding official for the hearing. Otherwise, the hearing may be conducted by a representative of the Division.

(d) The hearing is conducted informally without strict adherence to rules of evidence. The respondent may submit any relevant information and material and call witnesses on his behalf. He also may examine the evidence and witnesses against him. No detailed record of a hearing is prepared.

(e) At the outset of the hearing, the material in the case file pertinent to the issues to be determined is presented by the presiding official. The respondent may respond to or rebut this material.

(f) After the presentation of the material in the case file, the respondent may offer any facts, statements, explanations, documents, testimony or other items which are relevant to the issues under consideration.

(g) At the close of the respondent's presentation the presiding official may present or allow the presentation of State Fire Marshal rebuttal information. The respondent may then respond to that information.

(h) After the evidence in the case has been presented, the presiding official shall permit argument on the issues under consideration.

(i) The respondent may also request an opportunity to submit further written material for inclusion in the case file. The presiding official shall allow a reasonable time for the submission of the material and shall specify the date by which it must be submitted. If the material is not submitted within the time prescribed, the case shall proceed to final action without the material.

(j) After submission of all materials during and after the hearing, the presiding official shall prepare a written recommendation as to final action in the case. This recommendation, along with any material submitted during and after the hearing, shall be included in the case file which is forwarded to the State Fire Marshal for final administrative action.

NOTE: Authority cited: Section 51018.6, Government Code. Reference: Section 51018.6, Government Code.

§ 19–2073. Final Order.

(a) After a hearing under Section 2072 or, if no hearing has been held, after expiration of the 30 day response period prescribed in Section 2071, the case file of an enforcement proceeding commenced under Section 2070 is forwarded to the State Fire Marshal, for issuance of a final order.

(b) The case file of an enforcement proceeding commenced under Section 2070 includes

(1) The inspection reports and any other evidence of alleged violations;

(2) A copy of the notice of probable violation issued under Section 2070;

(3) Material submitted by the respondent in accord with Section 2070 in response to the notice of probable violation;

(4) The Division's evaluation of response material submitted by the respondent and the Division Chief's recommendation for final action to be taken under this section; and

(5) In cases involving a Section 2072 hearing, any material submitted during and after the hearing and the hearing officer's recommendation for final action to be taken under this section.

(c) Based on review of a case file described in paragraph (b) of this section, the State Fire Marshal shall issue a final order that includes

(1) A statement of findings and determinations on all material issues, including a determination as to whether each alleged violation has been proved;

(2) If a civil penalty is assessed, the amount of the penalty and the procedures for payment of the penalty, provided that the assessed civil penalty may not exceed the penalty proposed in the notice of probable violation; and

(3) If a compliance order is issued, a statement of the actions required to be taken by the respondent and the time by which such actions must be accomplished.

(d) Except as provided by Section 2074, an order issued under this section regarding an enforcement proceeding is considered final administrative action on that enforcement proceeding.

(e) The Office of the State Fire Marshal shall issue a final order under this section within 45 days of receipt of the case file. In cases where delay beyond that period is expected, notice of that fact and the date by which it is expected that action will be taken shall be issued to the respondent.

NOTE: Authority cited: Section 51018.6, Government Code. Reference: Section 51018.6, Government Code.

§ 19–2074. Petitions for Reconsideration.

(a) A respondent may petition the Office of the State Fire Marshal for reconsideration of a final order issued under Section 2073. It is requested, but not required, that three copies be submitted. The petition must be received no later than 20 days after service upon the respondent of the final order. Petitions received after that time will not be considered. The petition must contain a brief statement of the complaint and an explanation as to why the effectiveness of the final order should be stayed.

(b) If the respondent requests the consideration of additional facts or arguments he must state the reasons they were not presented prior to issuance of the final order.

(c) The State Fire Marshal, does not consider repetitious information, arguments, or petitions.

(d) Unless the State Fire Marshal, otherwise provides, the filing of a petition under this section does not stay the effectiveness of the final order.

(e) The State Fire Marshal may grant or deny, in whole or in part, any petition for reconsideration without further proceedings. In the event the State Fire Marshal determines to reconsider a final order, he may issue a final decision on reconsideration without further proceedings, or he may provide such opportunity to submit comment or information and data as deemed appropriate.

(f) The State Fire Marshal, shall issue notice of the action taken on a petition for reconsideration within 20 days after receipt of the petition.

In cases where delay beyond that period is expected, notice of that fact and the date by which it is expected that action will be taken shall be issued to the respondent.

NOTE: Authority cited: Section 51018.6, Government Code. Reference: Section 51018.6, Government Code.

§ 19–2075. Payment of Penalty.

(a) Payment of a respondent of a civil penalty proposed, assessed, or compromised under this subpart must be made by certified check or money order payable to the Office of the State Fire Marshal. Except as provided by Section 2071, such payment is sent to the Office of the State Fire Marshal, 1131 S Street, Sacramento, CA 95814.

(b) If a respondent fails to pay the full amount of a civil penalty assessed in a final order issued under Section 2073 or make an offer in compromise to the assessed penalty as provided by paragraph (c) of this section within 20 days after receipt of the final order, the State Fire Marshal, may refer the case to the Attorney General with a request that an action to collect the assessed penalty be brought in the appropriate court to the extent permitted under State law.

(c) Within 20 days after the respondent's receipt of a final order assessing a civil penalty issued under Section 2073, the respondent may offer to compromise the assessed penalty by submitting in the manner required by paragraph (a) of this section, payment in the amount offered. The State Fire Marshal or his designee may accept or reject the compromise offer on behalf of the Office of the State Fire Marshal. If it is accepted, the respondent is notified in writing that the acceptance is in full settlement of the civil penalty action. If the compromise offer is rejected it will be returned to the respondent with written notification. Within 20 days after the respondent's receipt of such notification, payment of the full amount of the civil penalty assessed in the final order becomes due. The provisions of paragraph (b) of this section regarding court action for penalty collection apply upon failure of the respondent to pay the assessed penalty within that time period.

(d) If the respondent elects to make an offer in compromise to a civil penalty proposed in a notice of probable violation issued under Section 2070, he shall do so in accord with the procedures of Section 2071.

NOTE: Authority cited: Section 51018.6, Government Code. Reference: Section 51018.6, Government Code.

HISTORY

1. Amendment of subsection (a) filed 5–22–2002; operative 6–21–2002. Submitted to OAL for printing only pursuant to Government Code section 51011 (Register 2002, No. 21).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 19.1. Office of Emergency Services

(Title 19)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 19.1. Office of Emergency Services

TABLE OF CONTENTS

Page

Division 19.1. Office of Emergency Services 173

§ 19–2510. Definitions.
§ 19–2520. Student Certification Curriculum.
§ 19–2530. Instructor Certification Requirements.
§ 19–2540. Administrative Procedures.
§ 19–2550. Administrative Forms.
§ 19–2703. Immediate Reporting of a Release or a Threatened Release.
§ 19–2705. Written Reporting of Emergency Releases.
§ 19–2720. Proposed Area Plans.
§ 19–2724. Notification and Coordination.
§ 19–2726. Public Safety and Information.
§ 19–2729. Purpose.
§ 19–2730. Optional Model Inventory Reporting Form.
§ 19–2731. Emergency Response Plans and Procedures.
§ 19–2732. Training.
§ 19–2733. Applicability.
§ 19–2734. Warning Signs.

Division 19.1. Office of Emergency Services

(Title 19)

§ 19–2510. Definitions.

(a) "Authorized Representative". Any person, or group of people, authorized in writing by the Chief of the Hazardous Materials Section of CSTI to: conduct specific tasks related to the administration or delivery of training activities that are part of the California Hazardous Substances Incident Response Training and Education Program; conduct audits under the provisions of this program; or perform other specific tasks as directed by the Chief of the Hazardous Materials Section.

(b) "CSTI" refers to the "California Specialized Training Institute", Training Division of the Governors Office of Emergency Services.

(c) "Certified Class". A class that meets the requirements of the regulations regarding the California Hazardous Substances Incident Response Training and Education Program (Title 19, California Code of Regulations, Division 2, Chapter 1, Sub–Chapter 2, Sections 2510–2560).

(d) "Course Manager". The individual California State Certified Hazardous Materials Instructor responsible for ensuring that a certified course meets the requirements of these regulations.

(e) "Current Certification" means written documentation (Certificate, letter, spread sheet or similar writings) which show that the named individual has completed a specific course of study on a specific date, and the time that has elapsed since the completion of that course of study is equal to or less than one year (in the case of training under Title 8 CCR 5192(q)(6)), or as defined by the employer.

(f) "Field Training Program" refers to the California Hazardous Substances Incident Response Training and Education Program as defined in section 8574.20 of the California Government Code.

(g) "Instructor". An individual person who instructs a portion of a certified course, assists with an exercise in a certified course or performs other acts or tasks in support of the instruction of a certified class.

(h) "Outreach" is a colloquial term applied to individuals who are certified by CSTI as instructors, but who are not CSTI employees or under CSTI contract. An outreach instructor is approved to teach "Certified Class(s)", as listed under Title 19 CCR § 2520. The Outreach program is designed to take selected CSTI resident classes out to the local jurisdiction through a train–the–trainer program. CSTI develops the program, provides instructor training and places the course training requirements into regulation (Title 19 CCR 2520–2560). CSTI certified instructors from various jurisdictions, agencies, industry and groups are provided with a student manual, teaching materials, certified examination and handouts to reproduce as needed during the C.S.T.I. Instructor Certification Course.

(i) "Terminal Objectives" (also known as Terminal Learning Objectives) are the main objectives of the lesson or section. They describe exactly what the student must be capable of performing under the stated conditions and to the prescribed standard(s), upon completion of the lesson.

(j) "WMD" Weapons of Mass Destruction: As used in these regulations and CSTI WMD courses, the term WMD is any potential or actual use of a nuclear, biological or chemical agent, as well as any explosive or incendiary device designed to intentionally kill or harm people.

NOTE: Authority cited: Section 8574.20(a), Government Code. Reference: Hazardous Substances Emergency Response Training, Section 8574.20(b), Government Code.

HISTORY

1. New section filed 7–8–91; operative 8–7–91 (Register 91, No. 46).
2. Amendment filed 5–12–94; operative 6–13–94 (Register 94, No. 19).
3. Editorial correction of subsection (u) (Register 96, No. 52).
4. Amendment of subsections (p) and (v), new subsections (ii)–(nn), and repealer and new NOTE filed 12–23–96; operative 1–22–97 (Register 96, No. 52).
5. Amendment of subsection (g) filed 10–15–98; operative 11–14–98 (Register 98, No. 42).
6. Amendment filed 12–18–2007; operative 1–17–2008 (Register 2007, No. 51).

§ 19–2520. Student Certification Curriculum.

(a) Haz Mat Emergency Response – First Responder Awareness Level.

(1) Certified curriculum for First Responder Awareness Level shall include all of the following course objectives:

(A) Student shall define the term "hazardous materials"; identify how hazardous materials can harm people, the environment and property; and state the role of the First Responder at the Awareness level as defined by Title 8 California Code of Regulations §5192(q)(6)(A).

(B) Student shall recognize a Haz Mat incident through basic clues, warning signs, placards, labels, shipping papers, and material safety data sheets; identify, from a safe distance, the hazardous substance(s) present at the incident; understand the need for a positive safety attitude; and, describe a safe approach to a Haz Mat incident.

(C) Student shall describe first responder awareness actions, understanding the need for responder safety, isolation of the incident scene, the need for additional resources and making required notifications.

(D) Student shall identify the purpose and need to safely initiate command; cite basic identification and assessment techniques; demonstrate the use of the Department of Transportation North American Emergency Response Guidebook (current DOT NAERG) for basic action planning.

(2) Certified curriculum for First Responder Awareness Level shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for First Responder Awareness Course shall be a minimum of 4 hours in length.

(4) Certified curriculum for First Responder Awareness Course shall include the following training exercise:

(A) Participation in a table–top exercise including successful completion of the following objectives:

(i) Determine if a hazardous material exists and what notifications are necessary;

(ii) Identify safety techniques, isolation methods, and agencies and resources needed;

(iii) Conduct safe identification and assessment using the current NA ERG; and,

(iv) Identify essential information to give to the Incident Commander.

(5) Certified curriculum for First Responder Awareness Course shall include the following evaluation method:

(A) Completion of a CSTI certified First Responder Awareness written exam with a minimum passing score of 70% correct.

(6) Certification for participants in the First Responder Awareness Course shall include successful completion of a certified course as referenced in section 2520(a) as delivered by a CSTI certified instructor as referenced in section 2530. Student shall meet a minimum attendance of 4 hours, accomplish all objectives, participate in the training exercise and complete the evaluation method at the 70% standard as referenced in section 2520 (a).

(b) Haz Mat Emergency Response – First Responder Operations Level.

(1) Certified curriculum for First Responder Operations Level shall include all of the course objectives in Section 2520(a)(1) and all of the following course objectives:

(A) Student shall state the role of the First Responder at the Operations level as defined by Title 8 California Code of Regulations §5192(q)(6)(B).

(B) Student shall define basic terms used in emergency responses to releases of hazardous materials.

(C) Student shall describe basic first responder operations initial actions.

(D) Student shall explain the purpose, need and benefits, of scene management; describe the basic implementation of the Incident Command System (ICS) to manage a Haz Mat incident; and, demonstrate proper information flow from First Responder to Incident Commander at an incident command post.

(E) Student shall describe identification and assessment techniques and demonstrate the use of the current Department of Transportation North American Emergency Response Guidebook for basic action planning.

(F) Student shall explain the need for, types, selection criteria and limits of protective equipment commonly used in Haz Mat incidents.

(G) Student shall describe the value, methods and limitations of stabilizing the Haz Mat incident through safe containment; and, describe the proper protective action and rescue options available to first responders, within their capabilities and resources.

(H) Student shall identify the need for the appropriate decontamination of the victims, emergency response personnel and equipment, in order to avoid additional contamination; and, describe proper disposal and documentation procedures during a Haz Mat response.

(I) Student shall identify the need and method to communicate and coordinate with typical agencies from all levels of government having authorized activities dealing with a Haz Mat event, citing those agencies, their roles/responsibilities and capabilities.

(J) Student shall identify the local contingency plan to follow in his/her jurisdiction when dealing with a Haz Mat incident; and to describe the purpose, value, components, and limits of both pre–event and event–specific planning.

(K) Student shall describe the health effects that Haz Mats present to the first responder's life safety.

(L) Student shall describe a process for a safe and competent response to a Haz Mat incident, including explanation of the "risk vs. gain" concept.

(M) Student shall demonstrate proper and safe first–responder actions in a simulated Haz Mat incident.

(N) Student shall identify the legal role and rights of the media at a Haz Mat incident; describe the media capabilities that may aid in the incident response; and, cite basic Haz Mat legal aspects.

(2) Certified Curriculum for First Responder Operations Level shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for First Responder Operations Course shall be a minimum of 16 hours in length if the class participants have not had First Responder Awareness training meeting the minimum terminal objectives specified in Title 19 CCR 2520(a) and Title 8, California Code of Regulations, Section 5192(q). If all of the class participants have had such training and present proof of current certification to the Course Manager then the minimum hours for a Certified Course may be 12 hours. A Certified Course 12 hours in length shall meet only the course objectives of this Section and may delete the course objectives in Section 2520(a)(1).

(4) Certified curriculum for First Responder Operations Course shall include the following training exercises:

(A) Demonstrate proper use of the current Department of Transportation North American Emergency Response Guide Book to include the following:

(i) Given ten or more United Nations four digit numbers and or chemical names, participants will identify guide number including primary hazard, basic actions, and isolation and protective action distances as needed.

(B) Participation in a simulated field Haz Mat exercise including successful completion of the following objectives:

(i) Demonstrate proper safety, isolation and notifications for a simulated Haz Mat incident;

(ii) Based on a simulated Haz Mat release, demonstrate the basic identification process using the current DOT guidebook;

(iii) Based on an identification and hazard assessment process, identify the proper safe containment and protective action options; and,

(iv) Identify essential information to be given by the First Responder to the Incident Commander.

(5) Certified curriculum for First Responder Operations Course shall include the following evaluation method:

(A) Completion of a CSTI certified First Responder Operations written exam with a minimum passing score of 70% correct.

(6) Certification for participants in the First Responder Operations Course shall include successful completion of a certified course as referenced in section 2520(b) as delivered by a CSTI certified instructor as referenced in section 2530. Student shall meet a minimum attendance of 16 hours, except as noted in Paragraph (3) of this Section, accomplish all objectives, participate in training exercises and complete the evaluation method at the 70% standard as referenced in section 2520(b).

(c) Haz Mat Emergency Response – Incident Commander.

(1) Certified curriculum for Incident Commander Level shall include all of the course objectives in Section 2520(a)(1), Section 2520(b)(1) and all of the following course objectives except as noted in paragraph (3) of this Section:

(A) Student shall state the role of the Incident Commander (IC) as defined by applicable OSHA regulations.

(B) Student shall demonstrate the ability to collect and interpret hazard and response information from sources such as printed reference material, computer databases and other technical resources.

(C) Student shall demonstrate the ability to write strategic incident objectives for a simulated emergency response to a release of hazardous materials.

(D) Student shall explain the purpose, need, and elements of command/scene management; and, demonstrate capability to implement ICS.

(E) Student shall explain identification and hazard assessment techniques to aid the IC in action planning for a Haz Mat incident.

(F) Student shall explain the hazards, risks and limits of protective equipment commonly used in Haz Mat incidents; and, cite the role of the Incident Commander regarding the selection and use of personal protective equipment.

(G) Student shall identify the IC role in selecting safe containment and control methods to stabilize a hazardous materials incident.

(H) Student shall describe two primary Haz Mat protective action options, identify factors to evaluate in selecting a protective action option and cite their practical application.

(I) Student shall describe steps to bring the incident to final closure after stabilization, providing for proper decontamination and cleanup; and cite the role of the Incident Commander in decontamination.

(J) Student shall cite basic Haz Mat disposal requirements and cite funding sources with available to the IC.

(K) Student shall identify the need for documentation at Haz Mat incidents; and demonstrate ability to properly complete pertinent reports.

(L) Student shall identify government and private sector resources available to assist in an emergency response to a release of hazardous materials and state their jurisdiction, authority and capabilities.

(M) Student shall understand their own local pre–event Haz Mat plan; how to implement the management system used in that plan; be aware of the state plan; and describe the role of the federal regional response teams.

(N) Student shall explain the role of IC regarding response personnel's safety.

(O) Student shall describe a process for the management of a safe and competent response to a Haz Mat incident, including explanation of the risk vs. gain concept.

(P) Student shall identify the legal role and rights of the media in a Haz Mat incident and understand media capabilities to aid the IC.

(Q) Student shall identify the need for investigations of releases of hazardous materials and the role of the Incident Commander in those investigations.

(R) Student shall explain value, types, and limits of exercises and critiques.

(S) Student shall state the purpose of and the criteria for the activation of an Emergency Operation Center and cite how it is a resource to aid in managing a Haz Mat disaster.

(T) Student shall cite current Haz Mat laws and potential legal liabilities pertinent to the IC's employer.

(2) Certified curriculum for Incident Commander Level shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for an Incident Commander Course shall be a minimum of 32 hours in length if the class participants have not had First Responder Operations training meeting the minimum terminal objectives specified in Title 19 CCR 2520(b) and Title 8, California Code of Regulations, Section 5192(q)(6)(B). If all of the class participants have had such training and present proof of current certification to the Course Manager then the minimum hours for a Certified Course may be 16 hours. A Certified Course 16 hours in length shall meet only the course objectives of this Section and may delete the course objectives in Section 2520(a)(1) and Section 2520(b)(1) and the training exercise in paragraph (4)(A) of this Section.

(4) Certified curriculum for Incident Commander Course shall include the following training exercises:

(A) Demonstrate proper use of the current Department of Transportation North American Emergency Response Guide Book to include the following:

(i) Given ten or more United Nations four–digit numbers and or chemical names, participants will identify guide number, including primary hazard, basic actions, and isolation and protective action distances as needed.

(B) Participation in a tabletop exercise or simulated field functional Haz Mat exercise including successful completion of the following objectives:

(i) Demonstrate the ability to assume ICS command and general staff positions, set up a unified command post, and establish communication and coordination with all response agencies during a simulated Haz Mat incident;

(ii) Based on a simulated Haz Mat incident, manage a complete identification and hazard assessment process;

(iii) Based on a complete identification and hazard assessment process, write an incident action–plan leading to the mitigation of a simulated Haz Mat incident; and,

(iv) Demonstrate the ability of command to ensure the safety of all responders by completing an ICS Form 208 HM, Revised 3/98, (Site Safety and Control Plan).

(5) Certified curriculum for Incident Commander Course shall include the following evaluation method:

(A) Completion of a CSTI certified IC written exam with a minimum passing score of 70% correct.

(6) Certification for participants in the Incident Commander Course shall include successful completion of a certified course as referenced in section 2520(c) as delivered by a CSTI certified instructor as referenced in section 2530. Student shall meet a minimum attendance of 32 hours (or 16 hours for a class meeting the requirements of paragraph (3) of this Section), accomplish all objectives, participate in training exercises (except as noted in paragraph (3) of this Section) and complete the evaluation method at the 70% standard as referenced in section 2520 (c).

(d) Hazardous Materials Emergency Response – Executive Management.

(1) Certified curriculum for Hazardous Materials Emergency Response – Executive Management Course shall include all of the following course objectives:

(A) Student shall understand the current Haz Mat problem, compare the various levels of Haz Mat responders, and identify the role of Executive Manager in a Haz Mat day–to–day emergency and disaster response.

(B) Student shall grasp an awareness of laws pertaining to, and liability incurred by, government response personnel, Executive Managers, and the jurisdiction itself, when planning for, and responding to, a Haz Mat emergency/disaster.

(C) Student shall identify the essential components of 29 CFR 1910.120 and Title 8, CCR section 5192 as they pertain to planning, response, training and safety requirements for government agencies responding to a Haz Mat emergency/disaster.

(D) Student shall understand need to communicate and coordinate with any agency having authorized activities dealing with a Haz Mat incident, recognizing agencies' essential roles, needs, and limits; and, describe the purpose, essential components, value and limits of Haz Mat pre–event and event–specific plans.

(E) Student shall understand the needs of agency personnel providing the operational response to a field Haz Mat emergency, and describe the responsibilities of management for the safety of those personnel, including regulations requiring specified safety standards for Haz Mat responders.

(F) Student shall identify the Haz Mat emergency responders' operational actions and limits, explaining required notifications, resources, and mutual aid concepts while responding to, and managing, a Haz Mat emergency/disaster.

(G) Student shall describe the purpose and need to safely initiate command, and identify need and resources for identification and assessment of Haz Mat, so as to initiate action to mitigate the Haz Mat emergency/disaster.

(H) Student shall explain the need for, types and limits of protective equipment commonly used in Haz Mat emergencies, identify methods to stabilize the incident through safe containment, and describe primary Haz Mat protective action options.

(I) Student shall describe the legal role and need of the media at a Haz Mat incident, and understand media capabilities and limitations to aid in the response.

(J) Student shall understand need and components of a Haz Mat scene management system, and identify use of ICS to assume command and general staff positions to manage the incident.

(K) Student shall understand value and need for proper decontamination and cleanup including issues for contracting with cleanup companies.

(L) Student shall grasp an awareness of Haz Mat disposal requirements and funding sources with potential impact to the Executive Manager.

(M) Student shall identify the need for documentation at Haz Mat incident, and essential components of a Haz Mat report.

(N) Student shall describe the purpose and activation of an EOC and identify the common ICS positions that may report to the EOC during a Haz Mat disaster response.

(O) Student shall explain value, types, and limits of training, exercises and critiques.

(P) Student shall identify need and steps for investigations leading to possible prosecution of the responsible party of the Haz Mat incident.

(Q) Student shall describe the need and possible strategies for mitigation of, and recovery from, a Haz Mat emergency/disaster.

(2) Certified curriculum for Hazardous Materials Emergency Response – Executive Management Course shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for Hazardous Materials Emergency Response – Executive Manager Course shall be a minimum of 8 hours in length.

(4) Certified curriculum for Hazardous Materials Executive Emergency Response – Manager Course shall include all of the following training exercises:

(A) Participation in a simulated tabletop exercise including the successful completion of the following objectives:

(i) Identify criteria to activate the EOC;

(ii) Identify staffing by ICS titles and responsibilities for those required to report to the EOC;

(iii) Identify the use of single or unified command in the EOC.

(B) Completion of a draft Haz Mat policy and/or report regarding one of the following subject areas:

(i) Use of scene management system at a Haz Mat incident;

(ii) Safety requirements at a Haz Mat incident;

(iii) Planning requirements before and during a Haz Mat incident;

(iv) Training and exercising requirements for a Haz Mat incident;

(v) Mitigation program for Haz Mat incident;

(vi) Public information program for Haz Mat incident;

(vii) Recovery program for Haz Mat incident; and,

(viii) EOC activation, set–up, and staffing policy.

(5) Certification for participants in the Hazardous Materials Emergency Response – Executive Management Course shall include successful completion of a certified course as referenced in section 2520(d) as delivered by a CSTI certified instructor as referenced in section 2530. Student shall meet a minimum attendance of eight hours, accomplish all objectives, and participate in training exercises as referenced in section 2520(d).

(e) Hazardous Materials Emergency Response – Hazardous Materials Investigations.

(1) Certified curriculum for Hazardous Materials Investigations Course shall include all of the following course objectives:

(A) Student shall recognize the need for hazardous materials investigations and develop procedures for proper identification, containment, evidence gathering and preliminary investigation report completion.

(B) Student shall understand proper state and federal laws and regulations dealing specifically with hazardous materials investigations.

(C) Student shall identify safety considerations and determine the characteristics of a hazardous materials incident and the possibility of a violation of a law or regulation.

(D) Student shall demonstrate how to safely and competently respond to a hazardous materials incident and conduct an investigation within the limitations of available resources and capabilities.

(E) Student shall explain the need for, types, selection criteria and limits of protective equipment commonly used in hazardous materials incidents.

(F) Student shall recognize the need for and the processes involved in obtaining and serving search and inspection warrants.

(G) Student shall understand the reason for and methods for comprehensive documentation of a hazardous materials incident investigation.

(H) Student shall identify the need to communicate and the appropriate methods necessary to coordinate communication with any and all agencies having authority at hazardous materials incidents, and shall further insure that each agency's role and capability is recognized.

(I) Student shall develop techniques for interviewing witnesses and interrogating suspects at a hazardous materials incident.

(J) Student shall demonstrate proper methods of sampling, evidence collection, and preservation for chemicals and wastes at a hazardous materials incident.

(K) Student shall demonstrate proper safe and competent response to a simulated hazardous materials crime scene.

(L) Student shall demonstrate proper preliminary investigation report preparation by submitting documentation and evidence to the course coordinator for approval.

(M) Student shall identify the role and assignment of investigators within the Incident Command System.

(N) Student shall recognize specific characteristics and considerations associated with hazardous materials investigations at fixed facilities.

(O) Student shall recognize specific characteristics and considerations associated with hazardous materials investigations at transportation incidents.

(P) Student shall understand the importance of effectively working with the media.

(Q) Student shall recognize major information sources useful to investigators in conducting follow–up hazardous materials investigations.

(2) Certified curriculum for the Hazardous Materials Investigations Course shall include all of the current course material listed in 2540(t).

(3) Certified curriculum for Hazardous Materials Investigations Course shall be 40 hours in length.

(4) Certified curriculum for Hazardous Investigations Course shall include the following training exercises:

(A) Demonstrate proper safe and competent response to a simulated hazardous materials incident or crime scene; and,

(B) Demonstrate proper preparation of a preliminary investigation report which will be submitted to the course coordinator for review, comment and approval.

(5) Certification for participants in the Hazardous Materials Investigations Course shall include successful completion of a certified course as referenced in section 2520(e) as delivered by a CSTI certified instructor as referenced in section 2530. Student shall accomplish all objectives, and participate in training exercises as referenced in section 2520(e). Student shall attend 40 hours of training as defined by Title 19 § 2540(j)(4).

(f) Hazardous Materials Emergency Response – Environmental Monitoring.

(1) Certified curriculum for Hazardous Materials Emergency Response Environmental Monitoring Course shall include all of the following course objectives:

(A) Student shall understand the basics of Haz Mat sampling, including method selection criteria, purpose and objective, types of samples, and development of a sampling plan.

(B) Student shall identify analytical standards used for air and soil/water samples.

(C) Student shall identify the levels of protection of monitoring personnel.

(D) Student shall identify basic air surveillance and soil/water equipment used during a Haz Mat incident.

(E) Student shall understand the documentation and chain–of–custody procedures at a Haz Mat sampling site.

(F) Students shall identify packaging, marking, labeling and shipping of Haz Mat samples.

(G) Student shall identify legal considerations dealing with the sampling procedures.

(H) Student shall identify quality control considerations necessary for air surveillance and soil/water samples.

(2) Certified curriculum for the Hazardous Materials Emergency Response Environmental Monitoring Course shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for Hazardous Materials Emergency Response Environmental Monitoring Course shall be a minimum of 40 hours in length.

(4) Certified curriculum for Hazardous Materials Emergency Response Environmental Monitoring Course shall include the following training exercise:

(A) Demonstrate proper use to the instructor of air, soil and water monitoring equipment to include sorbent traps, aerosol filters, organic vapor analyzer, photoionization detector, gas chromatographs and infrared spectrometer.

(5) Certified curriculum for Hazardous Materials Emergency Response Environmental Monitoring Course shall include the following evaluation method:

(A) Completion of a CSTI certified Environmental Monitoring written exam with a minimum passing score of 70% correct.

(6) Certification for participants in the Hazardous Materials Emergency Response Environmental Monitoring Course shall include successful completion of a certified course as referenced in section 2520(f) as delivered by a CSTI certified instructor as referenced in section 2530. Student shall attend 40 hours of training as defined by Title 19 § 2540(j)(4), accomplish all objectives, participate in the training exercise and complete the evaluation method at the 70% standard as referenced in section 2520(f).

(g) Hazardous Materials Emergency Response – Incident At Ports.

(1) Certified curriculum for Hazardous Materials Emergency Response Incident at Ports Course shall include all of the following course objectives:

(A) Student shall compare and contrast the differences in port activities with other Haz Mat activity sources.

(B) Student shall identify the organizations and responsibilities of various port authorities.

(C) Student shall identify the unique agencies or special units with the appropriate authorities involved with port activities including, but not limited to, the U.S. Coast Guard and the Office of Oil Spill Prevention and Response.

(D) Student shall determine the various types of vessels commonly found in ports and the unique characteristics of their construction and operation.

(E) Student shall compare the unique response considerations with conventional response considerations when dealing with port incidents.

(F) Student shall be able to write, revise, and review specific contingency plans dealing with port emergency operations in Haz Mat incidents including, but not limited to, the National Contingency Plan and applicable Area Contingency Plans.

(2) Certified curriculum for the Hazardous Materials Emeregency Response Incident at Ports Course shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for Hazardous Materials Emergency Response Incident at Ports Course shall be a minimum of 8 hours in length.

(4) Certified curriculum for Hazardous Materials Incident at Ports Course shall include the following training exercise:

(A) Participation in a Haz Mat table–top exercise including successful completion of the following objectives:

(i) Demonstrate proper safety, isolation and notifications for a simulated table–top Haz Mat incident at a port;

(ii) Based on simulated Haz Mat release, demonstrate a basic identification process;

(iii) Based on an identification and hazard assessment process, identify the proper safe containment and protective action options; and,

(iv) Identify essential information to be given by the First Responder to the Incident Commander.

(5) Certified curriculum for Hazardous Materials Incident at Ports Course shall include the following evaluation method:

(A) Completion of a CSTI certified Haz Mat Incidents At Ports written exam with a minimum passing score of 70% correct.

(6) Certification for participants in the Hazardous Materials Incident at Ports Course shall include successful completion of a certified course as referenced in Section 2520(g) as delivered by a CSTI certified instructor as referenced in Section 2530. Student shall meet a minimum attendance of 8 hours, accomplish all objectives, participate in the training exercise and complete the evaluation method at the 70% standard as referenced in Section 2520(g).

(h) Hazardous Materials Emergency Response – Instructor Certification.

(1) Certified curriculum for Hazardous Materials Emergency Response Instructor Certification Course shall include all of the following course objectives:

(A) Student shall demonstrate an understanding of the background and objectives of the California Hazardous Substances Incident Response Training and Education Program as administered by the Office of Emergency Services, California Specialized Training Institute, as referenced in California Government Code section 8574.20.

(B) The student shall recognize the need for competent instructors to deliver standardized training to hazardous materials responders in the field.

(C) Student shall identify practical techniques for trainers to better facilitate adult learning.

(D) Student shall explain the importance of performance objectives, the need for instructor discipline to accomplish performance objectives, and the value of a motivating delivery technique in achieving performance objectives.

(E) Student shall understand the certified curriculum for the certified course(s), as referenced in section 2520 in which the student is seeking instructor certification.

(F) Student shall understand the importance of presenting a positive first impression.

(G) Student shall understand the essential details in preparing for a class.

(H) Student shall demonstrate an awareness of the Haz Mat audio–visual materials available to support the certified course(s), as referenced in Section 2520 in which the student is seeking instructor certification.

(I) Student shall explain the four–step method of lesson plan development.

(J) Student shall identify effective communication methods and techniques.

(K) Student shall identify the various types of training aids, understand basic techniques for using boards, overhead transparencies and flip charts, and develop at least one training aid for use in the instructional simulation.

(L) Student shall cite the essential elements involved in delivering the class.

(M) Student shall demonstrate an awareness of the requirements to design and deliver successful practical activities that will enhance the trainer's instructional delivery.

(N) Student shall demonstrate the ability to competently instruct at least a 10–minute portion of one block of instruction from the certified course(s), as referenced in Section 2520 in which the student is seeking instructor certification before a peer group and video camera for critique.

(O) Student shall positively critique and compare instructional methods and techniques of the blocks of instruction delivered by other students in the class.

(P) Student shall recognize the need and techniques for testing, evaluating and closing the class.

(Q) Student shall demonstrate an understanding of the California Hazardous Substances Incident Response Training and Education Program requirements, minimum standards, and administrative policies and procedures for state certification as referenced in sections 2510–2560.

(R) Student shall understand proper completion of administrative forms for requesting, delivering, documenting and certifying hazardous materials courses as referenced in section 2540.

(S) Students who will teach any Technician Specialists program course shall understand the essential teaching points, required materials/exercise training aids, and safety issues associated with the Technician Specialists module/course they will teach.

(T) Students shall describe the safety issues associated with providing hazardous materials emergency response training that demonstrates the comprehension of the Safety Policy in Section 2540(k) of these regulations.

(2) Certified curriculum for Hazardous Materials Emergency Response Instructor Certification Course shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for Hazardous Materials Emergency Response Instructor Certification Course shall be a minimum of 32 hours in length.

(4) Certified curriculum for Hazardous Materials Emergency Response Instructor Certification shall include the following instructional simulations:

(A) First Impressions Presentation by Student:

(i) Student shall give a three to five–minute presentation on any subject dealing with Haz Mat response in order for peer group to evaluate first impressions.

(B) Instructional Delivery:

(i) Student shall deliver a minimum ten–minute portion of a certified curriculum, as referenced in Section 2520 in which the student is seeking instructor certification before a peer group and video camera for critique.

(5) Certified curriculum for Hazardous Materials Emergency Response Instructor Certification Course shall include the following evaluation method:

(A) Completion of a CSTI certified Haz Mat Instructor Certification written exam with a minimum passing score of 70% correct.

(6) Certification for participants in the Hazardous Materials Emergency Response Instructor Certification Course shall include all of the following:

(A) Successful completion of the certified course(s), as referenced in section 2520 in which the student is seeking instructor certification;

(B) Successful completion of the certified course as referenced in section 2520(h) and as coordinated by a CSTI Haz Mat section faculty member; and,

(C) Meet a minimum attendance of 32 hours, accomplish all course objectives, complete the evaluation method at the 70% standard and participate in the instructional simulation as referenced in section 2520(h).

(i) Hazardous Materials Emergency Response — Instructor Certification For Trainers.

(1) Certified curriculum for Hazardous Materials Emergency Response Instructor Certification For Trainers Course shall include Items (A) through (L) and (O) through (T) (incorporated by reference) from section 2520 (h) for Hazardous Materials Emergency Response — Instructor Certification and shall include all of the following:

(A) Student shall demonstrate the ability to competently instruct at least a five–minute portion of one block of instruction from the certified course(s), as referenced in Section 2520 in which the student is seeking instructor certification before a peer group.

(B) Students who will teach any Technician Specialists program course shall understand the essential teaching points, required materials/exercise training aids, and safety issues associated with the Technician Specialists module/course they will teach.

(C) Students shall describe the safety issues associated with providing hazardous materials emergency response training that demonstrates the comprehension of the Safety Policy in Section 2540(k) of these regulations.

(2) Certified curriculum for Hazardous Materials Emergency Response Instructor Certification For Trainers Course shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for Hazardous Materials Emergency Response Instructor Certification For Trainers Course shall be a minimum of 16 hours in length.

(4) Certified curriculum for Hazardous Materials Emergency Response Instructor Certification For Trainers Course shall include the following instructional simulation:

(A) Instructional Delivery:

(i) Student shall deliver a minimum five–minute portion of a certified curriculum, as referenced in section 2520 in which the student is seeking instructor certification before a peer group for critique.

(5) Certified curriculum for Hazardous Materials Emergency Response Instructor Certification for Trainers Course shall include the following evaluation method:

(A) Completion of a CSTI certified Haz Mat Emergency Response Instructor Certification for Trainers written exam with a minimum passing score of 70% correct.

(6) Certification for participants in the Hazardous Materials Emergency Response Instructor Certification For Trainers Course shall include all of the following:

(A) Successful completion of the certified course(s), as referenced in section 2520 in which the student is seeking instructor certification;

(B) Successful completion of the certified course as referenced in section 2520(i) as coordinated by a CSTI Haz Mat section faculty member; and,

(C) Meet a minimum attendance of 16 hours, accomplish all course objectives, complete the evaluation method at the 70% standard, and, participate in the instructional simulation as referenced in section 2520(i).

(j) Hazardous Materials Emergency Response – Instructor Recertification.

(1) Certified curriculum for Hazardous Materials Emergency Response Instructor Recertification Course shall include all of the following course objectives:

(A) Student shall be able to demonstrate an understanding of the background and objectives of the California Hazardous Substances Incident Response Training and Education Program as administered by the Office of Emergency Services, California Specialized Training Institute, as referenced in California Government Code section 8574.20.

(B) Student shall be able to understand the certified curriculum for the certified course(s), as referenced in section 2520 in which the student is seeking instructor recertification.

(C) Student shall demonstrate an awareness of the current Haz Mat audio–visual materials and reference materials available to support the certified course(s), as referenced in section 2520 in which the student is seeking instructor recertification.

(D) Student shall be able to demonstrate an understanding of the California Hazardous Substances Incident Response Training and Education Program requirements, minimum standards, and administrative policies and procedures for state certification as referenced in sections 2510–2560.

(E) Student shall be able to understand proper completion of administrative forms for requesting, delivering, documenting and certifying hazardous materials courses, as referenced in sections 2540–2550.

(2) Certified curriculum for Hazardous Materials Emergency Response Instructor Recertification Course shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for Hazardous Materials Emergency Response Instructor Recertification Course shall be a minimum of 6 hours in length.

(4) Certified curriculum for Hazardous Materials Emergency Response Instructor Recertification Course shall include the following evaluation method:

(A) Completion of a CSTI certified Hazardous Materials Emergency Response Instructor Recertification written exam with a minimum passing score of 70% correct.

(5) Certification for participants in the Hazardous Materials Emergency Response Instructor Recertification Course shall include all of the following:

(A) Successful completion of the certified course(s), as referenced in section 2520 in which the student is seeking instructor recertification;

(B) Successful completion of the certified course as referenced in section 2520(h) or (i) as coordinated by a CSTI Haz Mat section faculty member;

(C) Successful completion of the certified course as referenced in section 2520(j) by a CSTI Haz Mat section faculty member; and,

(D) Meet a minimum attendance of 6 hours, accomplish all course objectives, and complete the evaluation method at the 70% standard, as referenced in section 2520(j).

(k) Hazardous Materials Emergency Response – Technician/Specialist (1A): Basic Chemistry.

(1) Certified curriculum for Haz Mat Emergency Response Technician/Specialist (1A) Basic Chemistry shall include all of the following course objectives:

(A) The student shall identify the levels of haz mat response training required for certification. The student shall recognize chemical compounds in terms of general categories and classifications.

(B) The student shall define the terms "chemistry" and "matter," identify the three states of matter, recognize the differences between pure substances and mixtures, and recognize physical and chemical properties.

(C) The student shall identify the three physical forms or states of matter, distinguish the differences between chemical and physical change, list the 6 different processes that result in a physical change in state, define "exothermic" and "endothermic," and identify the role of catalysts and inhibitors.

(D) The student shall identify symbols, names of elements, and atomic numbers on a periodic table and determine the logical systematic order of elements.

(E) The student shall indicate the parts and regions of an atom, define the weight and charge of each atomic particle, name the four families and their outer shell electron configuration, explain the octet/duet rule and predict the type of ion formed by each family. The student shall identify the hazard of each family including reactivity and oxidation ability. The student shall also list the features of reducing agents and oxidizing agents.

(F) The student shall define bonding, recognize the different types of bonds, and determine the composition of an ionic or non–ionic compound.

(G) The student shall identify the six different types of salts and predict the hazards, recognize the general physical, chemical, health and environmental properties of salts.

(H) The student shall identify the different types of non–salts, and predict the hazards, recognize the general physical, chemical, health and environmental properties of non–salts.

(I) The student shall identify alkane, alkene, alkyne and aromatic hydrocarbons; identify the structures of hydrocarbons including isomers or aromatics.

(J) The student shall be able to identify the hydrocarbon radicals and derivatives, identify their structural formulas and list the hazards associated with each.

(K) The student shall explain the general toxicity of saturated and unsaturated hydrocarbons.

(L) The student shall define the physical parameters of vapor pressure, vapor content, vapor density, specific gravity, boiling point, flash point, polarity, and standard and normal temperature and pressure; and correctly identify the relative ranking of chemicals with respect to these physical parameters when compared to other chemicals.

(M) The student shall recognize those materials that are explosive, provide examples and define the terms "fuel," "oxidizer," "explosive" and "crystals" as they relate to explosives.

(N) The student shall identify the three states that gases are transported in and define the term "expansion ratio."

(O) The student shall describe the method for fighting explosives fires; recognize explosives by their chemical formula, structure or characteristics; list initiators of explosives; and describe the DOT divisions of explosives. The student shall also list the four categories of explosives, giving examples and characteristics of each; define and give examples of explosophores; and list several common explosives.

(P) The student shall identify those elements or compounds that are likely to be solids and identify their potential to be combustible or pyrophoric.

(Q) The student shall identify those compounds that are most likely to be oxidizers or organic peroxides based upon their chemical composition.

(R) The student shall identify the common names and formulas associated with poisons.

(S) The student shall identify those compounds that are most likely to be radioactive based upon their chemical composition.

(T) The student shall define the term "corrosivity," describe the two main division of corrosives, list the physical states that corrosives are found in and identify some of the hazards of corrosive materials.

(U) The student shall define the concepts: fire, oxidation, the fire tetrahedron, heat transfer, ignition temperature, flammable limits, and standard temperature and pressure. The student shall also be able to explain the difference between slow and fast oxidation, the effects of oxygen on the combustion process, and the factors to consider when assessing an incident for the potential of fire.

(V) The student shall list the three products of combustion, the three factors that determine hear content, and the three factors that determine vapor quantity. Additionally, the student shall describe the effect of flame on combustion, and explain the differences between the products of complete and incomplete combustion. The student shall define "backdraft" and "flashover," and explain the conditions that lead to those events. The students shall list at least 3 of the products of incomplete combustion that are considered toxic.

(W) The student shall identify at least 3 of the multiple hazards associated with gases, describe the common characteristics of gases and shall explain how gases are detected or measured. The student shall predict the behavior of gases using the concepts of the gas laws and critical temperature and pressure. The student shall describe the 3 conditions of gas storage and list the hazards associated with each.

(X) The student shall list the multiple hazards of flammable liquids and describe the following physical properties: vapor pressure, flash point, ignition temperature, flammable range, explosive limits, specific gravity, vapor density, boiling point, and the definitions of flammable and combustible liquids. The student shall also predict the probable location of flammable atmospheres from low and high vapor pressure liquids. The student shall list the three special conditions (boil–over, slop–over and froth–over) associated with burning flammable liquids; the effects of oxidizers on flammable liquids; how solubility is determined; and the effect of molecular weight on vapor pressure, boiling point, flash point, ignition temperature and heat output.

(Y) The student shall identify the process of oxidation; list several electronegative elements; describe spontaneous combustion, pyrolysis, surface burning and hypergolic combustion; and list the three types of ignition: pilot, auto, and spontaneous. The student shall also list three elements that burn and their allotropes, and describe the flammable solids cellulose nitrate and naphthalene. The student shall list several flammable and combustible metals and their hazards.

(Z) The student shall describe the processes of oxidation and reduction, describe and provide examples of halogen gases, oxy–salts, oxy–acids, metal peroxide salts, inorganic peroxides and oxygen. Additionally, the student shall identify the peroxide functional group in organic oxidizers. Students shall also list some common uses of organic peroxides, identify them by name or formula, list the hazards and classification of organic peroxides, define maximum safe storage temperature and self–accelerating decomposition temperature and list the general hazards of organic peroxides.

(AA) The student shall describe (ionizing and non–ionizing) radiation, identify those elements that are naturally radioactive, describe each of the three types of ionizing radiation (gamma, beta and alpha) and the three types of protective measures. The student shall define the terms roentgen, RAD, REM, mREM, sieverts, becquerels, curie and half–life. The student shall be able to list the various sources of background radiation and a typical annual exposure. The student shall also identify the one time emergency response exposure, the effect of free radicals, the difference between internal and external contamination and contamination vs. exposure.

(BB) The student shall describe the difference between the strength and concentration of corrosives, including how these are measured and how they pertain to the risk posed by that corrosive. The student shall describe the reaction that occurs between acids and bases and other materials. Also, the student shall describe the processes of absorption, dilution and neutralization, including the advantages and disadvantages of each of these methods when used for mitigating corrosives spills.

(CC) The student shall describe the importance of chemical compatibility to responders, recognize the 4 types of chemical reactions (combination, decomposition, single replacement and double replacement), list the rules of solubility and use an incompatibility chart to determine the potential reaction(s) between two materials.

(2) Certified curriculum for Hazardous Materials Emergency Response Technician/Specialist (1A) Basic Chemistry shall include all of the current course material listed in Section 2540(t). Each course manager shall provide and display for the duration of the class, at least one wall–mounted "Periodic Table of The Elements" that is at least four feet by eight feet in size and visible from any part of the classroom. The course manager shall provide each student with a copy of the current version of

the Department of Transportation Emergency Response Guidebook and the Department of Transportation Hazardous Materials Marking, Labeling and Placarding Guide (DOT Chart).

(3) Certified curriculum for the Haz Mat Emergency Response Technician/Specialist (1A) Basic Chemistry Course shall be a minimum of 40 hours in length.

(4) Certified curriculum for the Haz Mat Emergency Reponse Technician/Specialist (1A) Basic Chemistry Course shall include the following evaluation method:

(A) Completion of the CSTI certified Hazardous Materials Emergency Response Technician/Specialist (1A) Basic Chemistry Course shall be by written examination with a minimum passing score of 70% correct, as referenced in section 2540(e). The student shall attend 40 hours of training as defined by section 2540(j)(4).

(5) Certification for participants in the Haz Mat Emergency Response Technician/Specialist (1A) Basic Chemistry Course shall include successful completion of the certified course as referenced in 2520(k), delivered by a CSTI certified instructor as referenced in 2530. The student shall meet a minimum attendance of 40 hours, accomplish all objectives, participate in the training exercises and complete the evaluation method at the 70% standard as referenced in Section 2540.

(l) Hazardous Materials Emergency Response — Technician/Specialist (1B): Applied Chemistry.

(1) Certified curriculum for Haz Mat Emergency Response Technician/Specialist (1B) Applied Chemistry shall include all of the following course objectives:

(A) The student shall describe the process of detecting contaminants in air, list the major components of a normal atmosphere, and list the types of contaminants which make an atmosphere hazardous. The student shall list the OSHA requirements for entry into a confined space, describe the process of finding unknown gases based on vapor density and interpreting results. Also, the student shall list the four uses of monitoring and the types of instruments available, including the capabilities of each. The student shall utilize a monitoring strategy to analyze unknown atmospheres including an analysis of site specific conditions.

(B) The student shall describe the principles of operation of Radiation Monitoring devices and demonstrate their use with sample sources of radioactive material.

(C) The student shall define what Combustible Gas Indicators (CGI's) are designed to detect, describe how they operate, demonstrate how to prepare the CGI for use and how to monitor an unknown atmosphere, describe how to interpret the results, and list some of the limitations associated with CGI's.

(D) The student shall define what Photoionization Detectors (PID's) are designed to detect, describe how they operate, demonstrate how to prepare the PID for use and how to monitor an unknown atmosphere, describe how to interpret the results, and list some of the limitations associated with PID's.

(E) The student shall identify what colorimetric tubes, electrochemical sensors, flame ionization detectors and infrared spectroscopy are designed to detect; describe how these various devices work; and identify some of the use considerations and limitations associated with these devices.

(F) Given at least five unknown substances, two of which are solid, and three liquids, the student shall be able to identify or classify by hazard each of the unknown substances using the "Five–Step Field Identification Method of Chemicals", "HazCat Chemical Identification System" or another CSTI–approved method.

(G) The student shall identify safe and unsafe behaviors as they pertain to chemical handling.

(H) The student shall identify the principles and tests used in field identification kits to determine the hazards or identity of unknown chemicals.

(I) The student shall identify the types of hazard and response information available from reference manuals, hazardous materials data bases, technical information centers (i.e. CHEMTREC) and technical information specialists. The student shall explain the advantages and disadvantages of each resource. The student shall also utilize various reference sources to identify hazard and response information about various hazardous materials.

(J) The student shall describe the duties of the Technical Specialist Hazardous Materials Reference within the Incident Command System at a hazardous materials incident.

(2) Certified curriculum for Haz Mat Emergency Response Technician/Specialist (1B) Applied Chemistry shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for the Haz Mat Emergency Response Technician/Specialist (1B) Applied Chemistry Course shall be a minimum of 40 hours in length.

(4) Certified curriculum for the Haz Mat Emergency Response Technician/Specialist (1B) Applied Chemistry Course shall include the following training exercises:

(A) Participation in a "Field Identification of Unknown Solid and Liquid Chemical" exercise including successful completion of the following objectives: Using the "Five–Step Field Identification Method of Chemicals", "HazCat Chemical Identification System" or another CSTI approved method, and given five unknown substances (two being solid and three being liquid) the student shall complete a hazardous data worksheet to include:

(i) Classification of the substances by chemical or physical hazards;

(ii) Determination of the proper hazard/risk potential;

(B) Participation in an Atmospheric Monitoring Exercise including successful completion of the following objectives, given five unknown atmospheres:

(i) Use a Combustible Gas Indicator to monitor for combustible atmospheres.

(ii) Use a Photoionization Detector (PID) to monitor for volatile organic compounds.

(iii) Use a Colorimetric Tube to monitor for corrosive or combustible atmospheres.

(iv) Use a Radiation meter to monitor for radioactive materials.

(5) Certified curriculum for the Haz Mat Emergency Response Technician/Specialist (1B) Applied Chemistry Course shall include the following evaluation method:

(A) Completion of all of the CSTI certified Hazardous Materials Technician/Specialist (B) Applied Chemistry Course written exam with a minimum passing score of 70% correct as referenced in section 2530.

(B) Student to Instructor/Equipment/etc. Ratios are used in section (6) below to assure students receive an adequate level of experiential learning. See Section 2540(d)(5)(A), (B) and (i) for information on break–outs and sectional training.

(6) The following materials/training aids/equipment are required for teaching the Haz Mat Emergency Response Technician/Specialist (1B) Applied Chemistry Course:

(A)(i) Test kits for field identification of unknown chemicals (one kit for every three students);

(ii) Solid and liquid chemical samples for field identification (these should consist of, at a minimum, various flammable and combustible liquids, acids, caustics, sulfides, oxidizers, and chlorinated hydrocarbons);

(iii) Safety equipment (including, but not limited to: splash protection, eye protection, head protection, feet protection) for use by all students during the field identification exercise.

(iv) Combustible Gas Indicators (CGI), Photoionization Detectors (PID), colorimetric tubes and radiation meters in sufficient quantity to allow each student to demonstrate the use of the detectors for hazardous atmospheres. As a minimum, a ratio of one instrument (of each type) per two students is required.

(B) Printed reference material including, but not limited to (one copy per 6 students):

(i) Condensed Chemical Dictionary (Hawley's);

(ii) Quick Selection Guide to Chemical Protective Clothing (Forsberg/Mansdorf)

(iii) Handbook of Reactive Chemical Hazards (L. Bretherick) – or Rapid Guide to chemical Incompatibilities (Pohanish/Green);

(iv) CHRIS Manual (U.S. Coast Guard — Printed or electronic);

(v) American Association of Railroads; Emergency Action Guides

(vi) Emergency Care for Hazardous Materials Exposure (Currence);

(vii) Crop Protection Handbook (Meister);

(viii) Pocket Guide to Chemical Hazards (NIOSH);

(ix) Emergency Response Guide book (DOT)

(C) Electronic reference material including, but not limited to (one computer per 3 students):

(i) CAMEO/ALOHA/MARPLOT

(ii) Chemical Reactivity Worksheet

(iii) WISER

(7) Certification for participants in the Hazardous Materials Emergency Response Technician/Specialist (1B) Applied Chemistry Course shall include successful completion of the certified course as referenced in Section 2520(*l*), delivered by a CSTI certified instructor as referenced in Section 2530. The student shall meet a minimum attendance of 40 hours of training, accomplish all objectives, participate in the training exercises and complete the evaluation method at the 70% standard as referenced in Section 2540.

(m) Hazardous Materials Emergency Response — Technician/Specialist (1C): Incident Considerations.

(1) Certified curriculum for Haz Mat Emergency Response Technician/Specialist (1C) Incident Considerations shall include all of the following course objectives:

(A) The student shall define toxicology, list 2 subdivisions of toxicology, and identify dose as a key concept in toxicology. The student shall also compare risk and hazard, and identify the difference between the two.

(B) The student shall identify how various meteorological factors may influence a hazardous materials incident.

(C) The student shall recognize general protective action concepts associated with hazardous materials response, with specific emphasis on evacuation and shelter–in–place options.

(D) The student shall identify the factors to be considered in selecting proper respiratory protection. Students shall describe the advantages, limitations, proper use and operational components of air purifying respirators at a hazardous materials incident.

(E) The student shall identify the three types of vapor–protective, splash–protective and support–function clothing and describe the advantages and disadvantages of each. The student shall identify the four levels of chemical protection (EPA/NIOSH) and match both the equipment required for each level and the conditions under which each level is used. The student shall explain the significance of degradation, penetration and permeation as they relate to suit selection.

(F) The student shall identify the factors to be considered and the process involved in selecting the proper chemical protective clothing, at least three indications of material degradation of chemical protective clothing, and the relative advantages and disadvantages of various cooling methods/devices.

(G) The student shall recognize basic ICS concepts as they apply to hazardous materials incidents, the general organization of the Incident Command System and some of the standard ICS forms.

(H) The student shall describe the duties of a member of the Command Staff within the Incident Command System at a hazardous materials incident.

(I) The student shall describe the duties of the Haz Mat Group Supervisor within the Incident Command System at a hazardous materials incident.

(J) The student shall list the seven basic types of toxins and describe the characteristics and behavior of each. The student shall also describe the two major determinants that affect toxicity, list the three routes of entry and describe their characteristics, and list and describe the three means the body has for dealing with toxins. The student shall describe the concept of dose–response relationships, list the factors that affect dose response values and define the terms "lethal dose (LD)", "lethal concentration (LC)", "no observed effect level (NOEL)", "threshold limit value (TLV)", "permissible exposure limit (PEL)", "short term exposure limit (STEL)", "immediately dangerous to life and health (IDLH)", "maximum allowable concentration (MAC)", "level of concern (LOC)" and emergency response planning guide (ERPG).

(K) The student shall recognize the importance of establishing control zones and identify the three control zones to be established at a hazardous materials incident.

(L) The student shall describe the duties of the Site Access Control Leader within the Incident Command System at a hazardous materials incident.

(M) The student shall describe the duties of the Entry Team Leader within the Incident Command System at a hazardous materials incident.

(N) The student shall describe the duties of the Decontamination Team Leader within the Incident Command System at a hazardous materials incident.

(O) The student shall list some physical and chemical ways in which chemicals can cause harm. Also, the student shall describe the cell as the focal point of the biochemistry of toxins and how some organs are targets to toxins, describe the field of environmental toxicology and demonstrate the awareness of the irreversibility of some environmental spills. The student shall also be able to list and describe the concepts of ozone layer depletion, bioaccumulation, biomagnification, biological oxygen demand, and chemical oxygen demand. Lastly, the student shall describe and provide examples of organophosphate and carbamate pesticides, and describe the biochemical mechanism, including the antidote, for organophosphate poisoning.

(P) The student shall identify various environmental, mechanical, physiologic and psychological stresses that personnel working in chemical protective clothing are subjected to.

(Q) The student shall describe the duties of the Safe Refuge Area Manager within the Incident Command System at a hazardous materials incident.

(R) Student shall identify the mechanisms by which heat builds up in workers operating in chemical protective clothing, and the appropriate measures to take for someone experiencing a heat related illness.

(S) Student shall identify procedures by which hazardous materials response personnel shall be medically evaluated at incidents.

(T) The student shall identify guidelines for dealing with injured or trapped persons at a hazardous materials incident.

(U) The student shall identify some of the problems and resources which must be evaluated in order to triage hazardous materials incidents.

(V) The student shall identify the various decontamination methods, the types of decontamination, factors that can affect the decon process and resources needed to set up a Contamination Reduction Corridor. The student shall also identify general guidelines for Emergency Decon, including sources for selecting appropriate decon procedures and solutions.

(W) The student shall describe the procedures for donning and doffing Self–Contained Breathing Apparatus, and describe how to properly respond to emergencies with the Self–Contained Breathing Apparatus.

(X) The student shall describe the procedures for donning and doffing Level "A" Chemical protective clothing.

(Y) Reserved for future use.

(Z) The student shall identify some of the chemicals used in illegal drug manufacturing operations and the hazards associated with drug labs. The students shall also identify several warning signs indicating the presence of a drug lab, as well as appropriate safety and tactical considerations to take at an incident scene.

(AA) The student shall demonstrate the use of grounding and bonding equipment for product transfer.

(BB) The student shall demonstrate the use of plugging and patching equipment for drums.

(CC) The student shall demonstrate the use of transfer pumps for product transfer between drums.

(DD) The student shall demonstrate the safe use of a drum hand truck.

(EE) The student shall identify some of the key components of a hazardous materials area plan.

(FF) The student shall demonstrate the safe use of a drum up–ender (manual drum lifter).

(GG) The student shall define evidence; explain the importance of chain of custody, search warrants and proper documentation; and identify important guidelines regarding the collection of specific types of evidence.

(HH) The student shall demonstrate overpacking of a 55 gallon drum by the "V–Roll" and "End Over" Techniques.

(II) The student shall demonstrate the use of plugging and patching equipment for repairing leaks on piping systems.

(JJ) The student shall demonstrate the use of plugging and patching equipment for horizontal and vertical storage tanks.

(KK) The student shall demonstrate the safe use of chemical sampling equipment for solids and liquids.

(LL) The student shall demonstrate the safe use of absorbent materials for containing a liquid spill.

(MM) The student shall demonstrate the collection of evidence at a hazardous materials incident, including the use of chain of custody forms, evidence seals, scene mapping and photography.

(NN) The student shall demonstrate the safe application of a "Chlorine Institute A Kit".

(OO) The student shall demonstrate the safe application of a "Chlorine Institute B Kit".

(2) Certified curriculum for Haz Mat Emergency Response Technician/Specialist (1C) Incident Considerations shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for the Hazardous Materials Emergency Response Technician/Specialist (1C) Incident Considerations Course shall be 40 hours in length. Student(s) shall attend 40 hours of training as defined by Title 19 § 2540(j)(4).

(4) Certified curriculum for Haz Mat Technician/Specialist (1C) Incident Considerations Course shall include the following training exercises:

(A) The student shall don Level "A" chemical protective clothing and perform simulated hazardous materials mitigation skills in an "obstacle course" (an activity requiring them to complete exercises involving the performance of manipulative tasks commonly carried out in a response to a hazardous materials incident). The student shall complete the course or proceed through the course within the limits of one full SCBA tank.

(B) Participation in a Solid and Liquid Sampling Exercise including successful completion of the following objectives:

(i) Identify and use the appropriate tools and equipment required for taking a sample of a solid hazardous material.

(ii) Identify and use the appropriate tools and equipment required for taking a sample of a liquid hazardous material.

(C) Participation in a Weather and Plume Prediction Exercise including successful completion of the following objectives:

(i) Use a Belt Weather Kit (or other portable weather station kit) to evaluate current weather conditions.

(ii) Using a desktop or laptop computer air dispersion prediction program and given a chemical do a plume prediction based on current weather.

(D) Participation in a Plugging, Patching and Overpacking Exercise including successful completion of the following objectives:

(i) Demonstrate patching various size leaks in a fifty–five gallon drum.

(ii) Demonstrate overpacking a fifty–five gallon drum.

(iii) Demonstrate the proper use of a Chlorine "A" kit.

(iv) Demonstrate proper use of a Chlorine "B" kit.

(v) Demonstrate controlling various leaks in a pipe prop.

(vi) Demonstrate proper use of a pneumatic tank bandage to control a leak in an above–ground tank.

(E) Participate in an Atmospheric Monitoring Exercise including successful completion of the following objectives:

(5) Certified curriculum for the Haz Mat Emergency Response Technician/Specialist (1C) Incident Consideration Course shall include the following evaluation methods:

(A) Completion of the Haz Mat Emergency Response Tech/Specialist (1C) Incident Considerations Course Reference Material Worksheet with a minimum passing score of 70% correct; and,

(B) Completion of the CSTI certified Haz Mat Emergency Response Tech/Spec (1C) Incident Considerations Course Final Exam with a minimum passing score of 70% correct.

(C) Student to Instructor/Equipment/etc. Ratios are used in section (6) below to assure students receive an adequate level of experiential learning. See Section 2540(d)(5)(B) for information on break–outs and sectional training.

(6) The following materials/training aids/equipment are required for teaching the Haz Mat Technician/Specialist (1C) Incident Considerations Course:

(A) Student Text Books (one per student)–

(i) "Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities," (85–115) by NIOSH , OSHA, USCG, and EPA;

(B) Reference Materials (one per every six students)

(i) Chemical Dictionary (Hawley's);

(ii) Quick Selection Guide to Chemical Protective Clothing (Forsberg/Mansdorf);

(iii) Handbook of Reactive Chemical Hazards (L. Bretherick) — or Rapid Guide to Chemical Incompatibilities (Pohanish/Green);

(iv) CHRIS Manual (U.S. Coast Guard);

(v) American Association of Railroads; Emergency Action Guides

(vi) Emergency Care for Hazardous Materials Exposure (Currence);

(vii) Farm Chemical Handbook (Meister);

(viii) Pocket Guide to Chemical Hazards (NIOSH);

(ix) Emergency Response Guide Book (DOT)

(x) Computer loaded with the following:

(a) Cameo

(b) Chem Knowledge

(c) Chemical Reactivity worksheet

(C) Drums that have been designed with leaks of the following types:

(i) One Side Void (eg. fork lift or nail puncture);

(ii) One Bottom Failure (bottom of drum cut free so that drum fails if moved);

(iii) One Bung Leak (damaged threads); and

(iv) One Chine Leak (1/16 holes or saw cut).

(D) Drums for sampling:

(i) One 1A1 with threaded bung, 55 gal.;

(ii) One 1A2 with removable top, 55 gal.; and

(iii) One non–operable (weld or braze bungs closed).

(E) Overpack:

(i) One DOT 49 CFR 173.3 Salvage Drum, 85 gal.;

(ii) One DOT 49 CFR 173.3 Salvage Drum, 8 gal.; and

(iii) One Dot 49 CFR 173.3 Salvage Drum, polyethylene.

(F) One 100–150 lb. Chlorine Container designed for vapor leak from the valve area.

(G) One 1–Ton Chlorine Container designed for liquid and vapor leaks from valve and fusible plug. Container shall be designed to allow instructor to change leak from a liquid to a vapor when students roll the container.

(H) One Fixed Bulk Storage Tank (minimum of 200 gallon capacity) with leaks of a type to facilitate the application of a tank bandage.

(I) One Piping System designed to leak liquid or vapor on 2–12–inch or larger pipes including the following:

(i) Valve, Flange, Weld, and Thread Failures;

(ii) Cracked Pipe; and,

(iii) Sheared Pipe.

(J) Drum–related:

(i) Plug and Dike.

(ii) Bung Wrench.

(iii) Foam Wedges.
(iv) Dye.
(v) Epoxy Putty.
(vi) Grounding and Bonding.
(vii) New Bungs.
(viii) Speed Wrench and Socket.
(ix) Drum Repair Kit.
(x) Drum Hand Truck.
(xi) Transfer Pump.
(xii) Redwood Plugs.
(xiii) Drum Lifter.
(K) Chlorine–related:
(i) A Kit.
(ii) B Kit.
(iii) Ammonia Atomizer Bottle.
(L) Piping Leaks–related:
(i) Pneumatic Patching Equipment.
(ii) Patching Kits.
(iii) Flange Gaskets.
(iv) Bolts and Nuts.
(v) Hand Tools.
(M) Railroad Tankcar–related:
(i) Pneumatic Tank Patching Equipment.
(ii) Ladders (Fire Service Type), Minimum 14 feet.
(N) Chemical Protective Clothing (one each for demonstration)–
(i) Level A;
(ii) Flash Protection Over Suit;
(iii) Cryogenic Over Suit;
(iv) Level B;
(v) Level C;
(vi) Chemical Resistant Boots;
(vii) Chemical Resistant Gloves;
(vii) Eye Protection (Goggles and Safety Glasses); and
(ix) Hearing Protection.
(x) Respiratory Protection Demonstration Set
(a) Full Face APR
(b) PAPR (Powered APR)
(c) Half Face APR
(d) One set of cartridges (or canisters) for each of the above — each set must be a different type with at least one ESL and one HEPA.
(e) SCBA
(O) Sampling–related:
(i) Colawasa Tube.
(ii) Scoops.
(iii) Pipettes.
(iv) Soil Sample Auger.
(v) Plastic ZipLoc–type Bags.
(vi) Drum Thieves
(vii) Spoons.
(viii) Bottles with Seals and Labels.
(ix) 1–gallon Paint Cans for Overpack.
(P) Monitoring–related: (One monitor of each type for each 2 students plus one full set for the instructor)
(i) CGI.
(ii) Oxygen Meter.
(iii) Photoionization Detector.
(iv) Dosimeters.
(v) Radiation Meters. Mr/hr and R/hr.
(vi) Colormetric Tubes.
(vii) Test Papers.
(vii) Belt Weather Kit or Mini–Weather Station (One for each 3 students)
(Q) Current ICS Forms:
(i) Form 201 Incident Briefing,
(ii) Form 202 Incident Objectives,
(iii) Form 206 — Medical Plan
(iv) Form 208 HM Site Safety Plan, Revised 3/98
(v) Form 214 Unit Log.
(R) Safety Equipment
(i) First Aid Kit (EMT–1 type).
(ii) Emergency Telephone or Radio (to summon paramedic).
(iii) Covered Observation Area with sufficient capacity to seat entire class and able to provide protection from the rain and sun.
(iv) Flashlights (one per two students).
(v) Emergency Night Lighting sufficient to illuminate entire exercise area.

(7) Certification for participants in the Haz Mat Emergency Response Technician/Specialist (C) Incident Considerations Course shall include successful completion of the certified course as referenced in 2520(m), delivered by a CSTI certified instructor as referenced in 2530. Student shall attend 40 hours of training as defined by Title 19 § 2540(j)(4), accomplish all objectives, participate in the training exercises and complete the evaluation method at the 70% standard as referenced in section 2520(m).

(n) Hazardous Materials Emergency Response—Technician/Specialist (1D): Tactical Field Operations.

(1) Certified curriculum for Haz Mat Emergency Response—Tech/Spec (1D): Tactical Field Operations shall include all of the following course objectives:

(A) The student shall describe the components of a site safety plan for a hazardous materials incident and identify key points that should be made in a safety briefing prior to working on the scene.

(B) The student shall describe the duties of the Assistant Safety Officer — Haz Mat within the Incident Command System at a hazardous materials incident.

(C) The student shall identify various non–bulk and intermediate bulk packaging, the types of materials they contain, basic design and construction features, and some of the marking requirements for the various packages.

(D) The student shall identify the following regarding intermodal tank containers: tank construction features, tank markings, general classes of tanks, tank fittings and how to handle hazardous materials in tank containers.

(E) The student shall describe the type of carrier and material most commonly involved in highway hazardous materials incidents.

(F) The student shall identify operational situations which may exceed the capabilities of responders training, equipment or technical feasibility.

(G) The student shall identify some of the ways in which chemicals could be used for terrorism.

(H) The student shall identify the types of shipping papers that may be found on rail cars, as well as the types of information they contain.

(I) The student shall identify some of the general types of transport vehicles used in rail transportation.

(J) The student shall identify various tank cars by type, capacity and contents they typically transport. The student shall also identify various tank markings and construction features.

(K) The student shall identify various tank car fittings that may be found on the different types of tank cars.

(L) The student shall identify how a liquid pipeline may carry different products, the types of information which may be found on a pipeline marker, basic guidelines to follow for mitigating pipeline incidents.

(M) The student shall identify various offensive control options that may be utilized at a hazardous materials incident including repositioning leaking drums, overpacking, using absorbents, plugging, patching and catching. The student shall describe the purpose of, procedures for, equipment required and safety precautions appropriate for each method. The student shall also identify guidelines for taking samples of a hazardous material.

(N) The student shall identify basic design and construction features of storage tanks found at fixed facilities, the types of materials they may contain, and the types of damage that they could incur. The student shall identify some of the fire and safety protection systems that may be re-

quired at a fixed facility or bulk storage facility, and how these systems impact the behavior of the products during an incident. The student shall also identify some guidelines for managing a hazardous materials incident at a fixed facility.

(O) The student shall identify the types of vessels that may be involved in maritime incidents and some of the hazards associated with them, as well as the types of shipping papers that will be carried on these vessels and some of the information they contain. The student shall identify who the responsible authority will be and some basic guidelines to follow in the event of a maritime incident.

(P) The student shall identify some of the metals used in aircraft construction, and the advantages and disadvantages of each, as well as the fuels and fluids generally found aboard aircraft and their associated hazards. The student shall identify regulations pertaining to air transport of hazardous materials, and the types of shipping papers required and some of the information they contain. The student shall also identify some basic airport safety considerations

(Q) The student shall demonstrate the use of emergency hand signals.

(R) The student shall recognize the significant federal and state laws and regulations pertaining to hazardous materials and hazardous waste, as well as some of the key provisions of each. The student shall recognize potential areas of liability in dealing with hazardous materials incidents, as well as guidelines that can be implemented both before and during an incident to minimize liability for response personnel.

(S) The student shall demonstrate the use of plugging and patching equipment for drums.

(T) The student shall demonstrate the use of plugging and patching equipment for repairing leaks on piping systems.

(U) The student shall demonstrate the use of plugging and patching equipment for horizontal and vertical storage tanks.

(V) The student shall demonstrate the safe application of a "Chlorine Institute A Kit".

(W) The student shall demonstrate the safe application of a "Chlorine Institute B Kit".

(X) The student shall demonstrate the ability to perform the following functions at a simulated hazardous materials incident:

(i) Analyze the simulated hazardous materials incident to determine the problem and predict the outcome.

(ii) Identify and perform the appropriate ICS positions required to manage the simulated incident.

(iii) Utilize appropriate technical references to determine product identification and hazards, chemical protective clothing required, and appropriate tactical operations and decon procedures.

(iv) Select and use proper chemical protective clothing and equipment.

(v) Develop and utilize a site safety plan.

(vi) Develop and utilize an Incident Action Plan.

(vii) Identify and perform appropriate decontamination procedures.

(viii) Identify and use the appropriate tools and equipment necessary to mitigate the simulated problem.

(ix) Identify and use the selected method for field identification of the released hazardous material.

(x) Identify and use accepted Standard Operating Procedures for hazardous materials incidents.

(Y) The student shall participate in an Incident Debriefing and a Post Incident Analysis.

(Z) The student shall identify components of the three phases of an effective incident termination: debriefing, post–incident analysis and critique

(2) Certified curriculum for Haz Mat Emergency Response—Tech/Spec (1D): Tactical Field Operations shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for the Haz Mat Emergency Response: Tech/Spec (1D): Tactical Field Operations Course shall be 40 hours of training as defined by Title 19 § 2540(j)(4),

(4)(A) Participation in a Plugging, Patching and Overpacking Exercise including successful completion of the following objectives:

(i) Demonstrate patching various size leaks in a fifty–five gallon drum.

(ii) Demonstrate overpacking a fifty–five gallon drum.

(iii) Demonstrate the proper use of a Chlorine "A" kit.

(iv) Demonstrate proper use of a Chlorine "B" kit.

(v) Demonstrate controlling various leaks in a pipe prop.

(vi) Demonstrate proper use of a pneumatic tank bandage to control a leak in an above–ground tank.

(B) Participation in an Evaluation Scenario including successful completion of the following objectives:

(i) Analyze the simulated hazardous materials incident to determine the problem and predict the outcome.

(ii) Identify and perform the appropriate positions within the Incident Command System required to manage the simulated incident.

(iii) Identify and utilize the technical references used for providing information for product identification, chemical protective clothing selection, tactical operations and decontamination procedures.

(iv) Select and use proper Chemical Protective Clothing and equipment.

(v) Develop and utilize a Site Safety Plan.

(vi) Develop and utilize an Incident Action Plan.

(vii) Identify and perform appropriate decontamination procedures.

(viii) Identify and use the appropriate tools and equipment necessary to mitigate the simulated problem.

(ix) Identify and use the selected method for field identification of the simulated released hazardous material.

(xi) Participate in a post–scenario analysis.

(5) Certified curriculum for the Haz Mat Emergency Response: Tech/Spec (1D): Tactical Field Operations Course shall include the following evaluation method:

(A) Completion of the CSTI certified Haz Mat Emergency Response: Tech/Spec (1D): Tactical Field Operations Final Exam with a minimum passing score of 70% correct.

(B) Student to Instructor/Equipment/etc. Ratios are used in section (6) below to assure students receive an adequate level of experiential learning. See Section 2540(d)(5)(B) for information on break–outs and sectional training.

(6) The following materials/training aids/equipment are required for teaching the Haz Mat Emergency Response: Tech/Spec (1D) Hazard and Risk Assessment Course:

(A) Drums that have been designed with leaks of the following types:

(i) One Side Void (e.g. fork lift or nail puncture);

(ii) One Bung Leak (damaged threads); and,

(iii) One Chine Leak (1/16 holes or saw cut).

(B) Drums for sampling:

(i) One 1A1 with threaded bung, 55 gal.;

(ii) One 1A2 with removable top, 55 gal.; and,

(C) Overpack:

(i) One DOT 49 CFR 173.3 Salvage Drum, 85 gal.;

(ii) One DOT 49 CFR 173.3 Salvage Drum, polyethylene.

(D) One 100–150 lb. Chlorine Container designed for vapor leak from the valve area.

(E) One 1 Ton Chlorine Container designed for liquid and vapor leaks from valve and fusible plug. Container shall be designed to allow instructor to change leak from a liquid to a vapor when students roll the container.

(F) One Fixed Bulk Storage Tank (minimum of 200 gallon capacity) with leaks of a type to facilitate the application of a tank bandage.

(G) Ladders (Fire Service Type) minimum 14 feet.

(H) One Piping System designed to leak liquid or vapor on 2.5 inch or larger pipes including the following:

(i) Valve, Flange, Weld, and Thread Failures;

(ii) Cracked Pipe; and

(iii) Sheared Pipe.

(I) Drum–related:

(i) Plug and Dike;

(ii) Bung Wrench;

(iii) Foam Wedges;
(iv) Epoxy Putty;
(v) Grounding and Bonding;
(vi) New Bungs;
(vii) Speed Wrench and Socket;
(viii) Drum Repair Kit;
(ix) Drum Hand Truck;
(x) Redwood Plugs; and,
(xi) Drum Lifter.
(J) Chlorine–related:
(i) A Kit; and.
(ii) B Kit.
(K) Fixed Storage Tank–related:
(i) Patching Kits;
(ii) Pneumatic Patching Equipment; and,
(iii) 5–Minute Marine Epoxy.
(L) Piping Leaks–related:
(i) Pneumatic Patching Equipment;
(ii) Patching Kits;
(iii) Flange Gaskets;
(iv) Bolts and Nuts; and,
(v) Hand Tools.
(vi) Pneumatic Tank Patching Equipment (Railroad Tankcar — Related).
(M) Storm Drain–related:
(i) Shovels;
(ii) Sheet Plastic;
(iii) Wheelbarrows;
(iv) Sand;
(v) Over/Underflow Pipes (3–8 inches diameter); and,
(vi) Pneumatic Plugs.
(N) Absorbents (polar and non polar type):
(i) Pads;
(ii) Booms;
(iii) Pillows; and,
(iv) Granular.
(P) Monitoring–related:
(i) CGI;
(ii) Oxygen Meter;
(iii) Photoionization Detector;
(iv) Dosimeters;
(v) Radiation Meters,
Mr/hr and R/hr;
(vi) Colormetric Tubes;
(vii) Field Chemical ID Kit; and,
(viii) Test Papers.
(ix) One Belt Weather Kit (or Mini–Weather Station)
(Q) Decontamination–related:
(i) Four Containment Pools;
(ii) Four Water Wands;
(iii) Two Hudson Type Garden Sprayers;
(iv) Wash Tubs;
(v) Trash Bags (55 gallon–type);
(vi) Four Garden Hoses or Equivalent;
(vii) Tarps;
(viii) Brush Assortment;
(ix) Sponges; and,
(x) Towels.
(xi) Four Astro–Terf Type Dormats (or similar for pool bottoms).
(R) Other:
(i) Windsock;
(ii) 20 Traffic Cones;
(iii) Barrier Tape;
(iv) Bull Horn; and
(v) Incident Command Vests:
a. Haz Mat Group Supervisor;
b. Assistant Safety Officer;
c. Entry Team Leader;
d. Decon Team Leader;
e. Technical Reference Leader; and,
f. Site Access Leader.
(vi) Computer, loaded with CAMEO, WISER and Reactivity Worksheet (Ratio 1 computer for each 3 students)
(S) Reference Materials:
(i) Chemical Dictionary (Hawley's);
(ii) Quick Selection Guide to Chemical Protective Clothing (Forsberg/Mansdorf);
(iii) Handbook Of Reactive Chemical Hazards (L. Bretherick) — or Rapid Guide to chemical Incompatibilities (Pohanish/Green);
(iv) CHRIS Manual (U.S. Coast Guard — Printed or electronic);
(v) American Association of Railroads; Emergency Action Guides;
(vi) Emergency Care for Hazardous Materials Exposure (Currence);
(vii) Crop Protection Handbook (Meister);
(viii) Pocket Guide to Chemical Hazards (NIOSH);
(ix) Emergency Response Guide Book (DOT).
(T) Protective clothing:
(i) Level A Suits (One Suit for each student. Suit must provide total encapsulation.);
(ii) Level B Suits (one per student);
(iii) Chemical Resistant Boots (one pair per student);
(iv) Chemical Resistant Gloves (one pair per student);
(v) Self–Contained Breathing Apparatus Mask (one per student);
(vi) Self–Contained Breathing Apparatus (one per every two students);
(U) Current ICS Forms:
(i) ICS Form 201 —Incident Briefing;
(ii) ICS Form 202 — Incident Objectives;
(iii) ICS Form 206 — Medical Plan
(iv) ICS Form 208 HM Site Safety Plan Revised 3/98;
(v) ICS Form 214 — Unit Log;
(V) Safety Equipment
(i) First Aid Kit (EMT–1 type).
(ii) Emergency Telephone or Radio (to summon paramedic).
(iii) Covered Observation Area with sufficient capacity to seat entire class and able to provide protection from the rain and sun.
(iv) Flashlights (one per two students).
(v) Emergency Night Lighting sufficient to illuminate entire exercise area.
(7) All leaks generated at the Field Training Facility shall be designed to leak at the approximate gallons per minute (and pressure) that would be found in an actual incident.
(8) Certification for participants in the Haz Mat Emergency Response: Tech/Spec (1D) Tactical Field Operations Course shall include successful completion of the certified course as referenced in 2520(n), delivered by a CSTI certified instructor as referenced in 2530. Students shall accomplish all objectives, participate in all of the training exercises and scenarios and complete the evaluation method at the 70% standard as referenced in section 2520(n).
(o) (This section reserved for future use.}
(p) Hazardous Materials Emergency Response – Specialist (1F): Specialized Mitigation Techniques.
(1) Certified curriculum for Haz Mat Emergency Response Specialist (1F) Specialized Mitigation Techniques shall include all of the following course objectives:
(A) The student shall define the term "matter", list the three states of matter, describe physical and chemical change, giving examples of each, read and interpret information from the periodic table, describe atomic structure and list the four families: alkali metals, alkaline earths, halogens and noble gases.
(B) The student shall list six salts, provide the chemical formula and list the hazards of each. The student shall identify and name non–salts,

list the hydrocarbon radicals and derivatives, draw their structural formulas and list the hazards associated with each.

(C) Given at least five unknown substances, two of which are solid, and three are liquids, the student shall identify or classify by hazard each of the unknown substances.

(D) The student shall identify safe and unsafe behaviors as they pertain to chemical handling.

(E) The student shall identify the principles and tests used in field identification kits to determine the hazards or identity of unknown chemicals.

(F) The student shall describe the process of looking for contaminants in air, list the major components of a normal atmosphere, and list the types of contaminants which make an atmosphere hazardous. The student shall list the OSHA requirements for entry into a confined space, describe the process of finding unknown gases based on vapor density and interpreting results. Also, the student shall list the four uses of monitoring and the types of instruments available, including the capabilities of each. The student shall utilize a monitoring strategy to analyze unknown atmospheres including an analysis of site specific conditions.

(G) The student shall define what Radiation Detection Monitors are designed to detect, describe how they operate, demonstrate how to prepare the Radiation Monitors for use and how to monitor an unknown atmosphere, describe how to interpret the results, and list some of the limitations associated with Radiation Monitors.

(H) The student shall describe the development of an incident action plan for a Radioactive Materials Emergency Incident.

(I) The student shall define what Combustible Gas Indicators (CGI's) are designed to detect, describe how they operate, demonstrate how to prepare the CGI for use and how to monitor an unknown atmosphere, describe how to interpret the results, and list some of the limitations associated with CGI's.

(J) The student shall define what Photoionization Detectors (PID's) are designed to detect, describe how they operate, demonstrate how to prepare the PID for use and how to monitor an unknown atmosphere, describe how to interpret the results, and list some of the limitations associated with PID's.

(K) The student shall identify what colorimetric tubes, electrochemical sensors, flame ionization detectors and infrared spectroscopy are designed to detect; describe how these various devices work; and identify some of the use considerations and limitations associated with these devices.

(L) The student shall recognize explosives by their chemical formula, structure or characteristics; list initiators of explosives. The student shall also list the four categories of explosives, and give examples of common improvised and conventional explosives.

(M) Student shall identify the mechanisms by which heat builds up in workers operating in chemical protective clothing, and the appropriate measures to take for someone experiencing a heat related illness.

(N) Student shall identify procedures by which hazardous materials response personnel shall be medically evaluated at incidents.

(O) The student shall don Level "A" chemical protective clothing and perform simulated hazardous materials mitigation skills. The student shall complete the course or proceed through the course within the limits of one full SCBA tank.

(P) The student shall demonstrate the use of grounding and bonding equipment for product transfer.

(Q) The student shall demonstrate the use of plugging and patching equipment for drums.

(R) The student shall demonstrate the use of transfer pumps for product transfer between drums.

(S) The student shall demonstrate the safe use of a drum hand truck.

(T) The student shall demonstrate the safe use of a drum upender.

(U) The student shall demonstrate overpacking of a 55 gallon drum by the "V–Roll" and "End Over" Techniques.

(V) The student shall demonstrate the use of plugging and patching equipment for repairing leaks on piping systems.

(W) The student shall demonstrate the use of plugging and patching equipment for horizontal and vertical storage tanks.

(X) The student shall demonstrate the safe application of a "Chlorine Institute A Kit".

(Y) The student shall demonstrate the safe application of a "Chlorine Institute B Kit".

(Z) The student shall identify the features of a general service railroad tank car.

(AA) The student shall close a bottom–operated outlet valve to stop a simulated leak on a general service railroad tank car.

(BB) The student shall tighten the cap/plug on a bottom outlet valve using a pipe wrench on a general service railroad tank car.

(CC) The student shall close a top–operated bottom outlet valve on a general service railroad tank car.

(DD) The student shall tighten the stuffing box packing for a top–operating bottom outlet valve using a pipe wrench on a general service railroad tank car.

(EE) The student shall stop a simulated leak on a general service manway using a wrench on a general service railroad tank car.

(FF) The student shall explain the purpose of a vacuum breaker valve and demonstrate the proper method for depressurizing a general service rail car.

(GG) The student shall repair a simulated leak on a liquid line valve on a general service railroad tank car.

(HH) The student shall stop a simulated leak in the vapor line on a general service railroad tank car.

(II) The student shall stop a simulated leak from a safety relief valve on a general service railroad tank car.

(JJ) The student shall identify the features of a pressurized rail car.

(KK) The student shall stop a simulated leak in an angle ball/gate valve on a pressurized rail car.

(LL) The student shall stop a simulated leak in the sample line on a pressurized rail car.

(MM) The student shall stop a simulated leak in the thermometer well of a pressurized rail car.

(NN) The student shall stop a simulated leak in the slip tube gauging device on a pressurized rail car.

(OO) The student shall stop a simulated leak in the safety relief valve on a pressurized rail car.

(PP) The student shall identify the dome features of a pressurized chlorine rail car.

(QQ) The student shall stop a simulated leak on the angle gate valve on a pressurized chlorine rail car.

(RR) The student shall stop a simulated leak on the safety relief valve of a pressurized chlorine rail car.

(SS) The student shall identify advantages of recycling, general conditions and restrictions that apply to recycling, and some of the materials that can and cannot be recycled.

(TT) The student shall identify some of the agencies that might have responsibility for site mitigation management; important considerations regarding funding, transporting waste, utilizing temporary storage facilities, and dealing with citizen concerns. The student shall identify some of the regulations that must be complied with during site mitigation, as well as four legal methods of hazardous waste disposal.

(UU) The student shall identify the three tactical priorities at a haz mat incident, and essential command and control functions. The student shall also be able to describe the levels that a haz mat incident may be divided into, and list criteria for determining those levels.

(VV) The student shall demonstrate the ability to perform one of the following functions at a simulated hazardous materials incident:

(i) Analyze the simulated hazardous materials incident to determine the problem and predict the outcome.

(ii) Identify and perform the appropriate ICS positions required to manage the simulated incident.

(iii) Utilize appropriate technical references to determine product identification and hazards, chemical protective clothing required, and appropriate tactical operations and decon procedures.

(iv) Select and use proper chemical protective clothing and equipment.

(v) Develop and utilize a site safety plan.

(vi) Develop and utilize an Incident Action Plan.

(vii) Identify and perform appropriate decontamination procedures.

(viii) Identify and use the appropriate tools and equipment necessary to mitigate the simulated problem.

(ix) Identify and use the selected method for field identification of the released hazardous material.

(x) Identify and use accepted Standard Operating Procedures for hazardous materials incidents.

(WW) The student shall participate in an Incident Debriefing and a Post Incident Analysis.

(2) Certified curriculum for Hazardous Materials Emergency Response Specialist (1F) Specialized Mitigation Techniques shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for the Hazardous Materials Emergency Response Specialist (1F) Specialized Mitigation Techniques Course shall be 40 hours in length.

(4) Certified curriculum for the Hazardous Materials Emergency Response Specialist (1F) Specialized Mitigation Techniques Course shall include all of the following training exercises:

(A) Participation in a Level "A" Chemical Protective Clothing Manipulative Obstacle Course including successful completion of all of the following objectives while donned in Level "A" CPC:

(i) Student shall be able to walk on uneven terrain.

(ii) Student shall be able to climb a fire service ladder to the working platform on a railroad tankcar.

(iii) Student shall be able to cross underneath a cargo tank or rail car without touching knees to the ground.

(iv) Student shall be able to open and/or close a gate valve.

(v) Student shall be able to right an overturned 55–gallon drum.

(vi) Student shall be able to select the proper tools and unbolt or reconnect a simulated pipe mount.

(vii) Student shall be able to remove and replace a drum bung.

(viii) Student shall be able to remove and replace a threaded pipe cap.

(ix) Using a drum hand truck, student shall be able to move a full 55–gallon drum 50 feet.

(x) Student shall be able to shovel 4 shovels full of dirt.

(xi) Student shall be able to insert a redwood plug in a hole in a tank.

(xii) Using a hand transfer pump, student shall be able to transfer 2 gallons of water from a 55–gallon drum into a bucket, then pour the bucket into another 55–gallon drum.

(B) Participation in a Chlorine "B" Kit Exercise, including successful completion of all of the following objectives:

(i) Student shall be able to select and apply the proper components to mitigate a given leak.

(ii) Student shall be able to roll a 1–ton container to change a liquid leak into a vapor leak.

(C) Participation in an Elevated Storage Tank Exercise, including successful completion of all of the following objectives:

(i) Student shall be able to mitigate leaks using mechanical plugging and patching equipment.

(ii) Student shall be able to mitigate leaks using pneumatic plugging and patching equipment.

(iii) Student shall be able to mitigate leaks using granular plugging and patching materials.

(D) Participation in a Piping Simulator Exercise, including successful completion of all of the following objectives:

(i) Student shall be able to mitigate leaks using mechanical plugging and patching equipment.

(ii) Student shall be able to mitigate leaks using pneumatic plugging and patching equipment.

(E) Participation in a Drum Handling Exercise, including successful completion of all of the following objectives:

(i) Student shall be able to mitigate leaks using mechanical plugging and patching equipment.

(ii) Student shall be able to apply chemical patching materials.

(iii) Student shall be able to demonstrate product transfer operations.

(iv) Student shall be able to demonstrate over–packing a drum.

(v) Student shall be able to demonstrate moving a loaded drum.

(F) Participation in a Level "A" Exercise/Scenario, including successful completion of all of the following objectives:

The student, acting within a team, shall:

(i) Apply hazard and risk assessment.

(ii) Employ entry team operations.

(iii) Utilize sampling and monitoring techniques.

(iv) Establish control zones.

(v) Utilize product control methods.

(vi) Establish decontamination operations.

(vii) Develop site–safety plans and incident–action plan.

(viii) Employ rescue/decontamination of the injured.

(ix) Employ medical surveillance.

(x) Select appropriate protective clothing, reservice and clean.

(xi) Employ Incident Command System.

(xii) Perform field identification of chemical unknowns.

(xiii) Prepare a press release.

(xiv) Utilizing the proper current ICS forms, document all incident operations using the following forms:

(1) ICS Form 201 – Incident Briefing;

(2) ICS Form 202 – Incident Objectives;

(3) ICS Form 206 – Medical Plan

(4) ICS Form 214 – Unit Log;

(5) ICS Form 208 – Site Safety Plan

(5) Certified curriculum for the Hazardous Materials Emergency Response Specialist (1F) Specialized Mitigation Techniques Course shall include the following evaluation methods:

(A) Completion of a Level "A" manipulative obstacle course with a minimum passing score of 100%; and,

(B) Completion of the CSTI certified Hazardous Mat Specialist (1F) Specialized Mitigation Techniques Course Final Exam with a minimum passing score of 70% correct.

(6) The following materials/training aids/equipment are required for teaching the Hazardous Materials Emergency Response Specialist (1F) Specialized Mitigation Techniques Course:

(A) A State Certified Hazardous Materials Field Training Facility (FTF) containing all of the training aids, equipment, reference materials, protective clothing, forms and safety items as designated in Section 2560(a).

(7) Certification for participants in the Hazardous Materials Emergency Response Specialist (1F) Specialized Mitigation Techniques Course shall include successful completion of the certified course as referenced in 2520(p), delivered by a CSTI certified instructor as referenced in 2530. Student shall attend 40 hours of training as defined by Title 19 § 2540(j)(4), accomplish all objectives, participate in the training exercise and complete the evaluation method at the 70% standard as referenced in section 2520(p).

(q) Hazardous Materials Emergency Response – Specialist (1G): Tactical Field Operations.

(1) Certified curriculum for Hazardous Materials Emergency Response Specialist (1G) Tactical Field Operations Course shall include all of the following course objectives:

(A) Student shall function as a Hazardous Materials Team member under the Incident Command System at a simulated hazardous materials incident.

(B) Student shall demonstrate the ability to perform the duties of a member of the Command Staff within the Incident Command System at a simulated hazardous materials incident.

(C) Student shall demonstrate the ability to perform the duties of a member of the Hazardous Materials Group within the Incident Command System at a simulated hazardous materials incident.

(D) Student shall demonstrate the ability to perform the duties of a member of the Entry Team within the Incident Command System at the simulated hazardous materials incident.

(E) Student shall demonstrate the ability to perform the duties of a member of the Decontamination Team within the Incident Command System at a simulated hazardous materials incident.

(F) Student shall demonstrate the ability to perform the duties of a member of the Technical Specialist Haz Mat Reference Team within the Incident Command System at a simulated hazardous materials incident.

(G) Student shall demonstrate the ability to perform the duties of a member of the Site Access Control Team within the Incident Command System at a simulated hazardous materials incident.

(H) Student shall demonstrate the ability to don and doff chemical protective clothing at a simulated hazardous materials incident.

(I) Student shall demonstrate the ability to collect and handle chemical samples at a simulated hazardous materials incident.

(J) Student shall demonstrate the ability to select, operate and interpret readings from atmospheric monitoring instruments at a simulated hazardous materials incident.

(K) Student shall demonstrate the ability to perform field identification of chemical unknowns at a simulated hazardous materials incident.

(L) Student shall demonstrate the ability to perform medical monitoring of personnel donned in chemical protective clothing and make recommendations based on the results at a simulated hazardous materials incident.

(M) Student shall demonstrate the ability to select and use proper hand tools to mitigate or control a chemical release at a simulated hazardous materials incident.

(N) Student shall demonstrate the ability to implement proper mitigation techniques at a simulated hazardous materials incident.

(O) Student shall demonstrate the ability to participate in the incident termination phase at a simulated hazardous materials incident.

(2) Certified curriculum for the Hazardous Materials Emergency Response Specialist (1G) Tactical Field Operations Course shall be 40 hours in length.

(3) Certified curriculum for the Hazardous Materials Emergency Response Specialist (1G) Tactical Field Operations Course shall include a minimum of seven of the following training exercises/scenarios, with a minimum of one exercise/scenario conducted in reduced lighting (after sunset):

(A) Participation in a Release of a simulated DOT Hazard Class 6.1 Poison from a Railroad Tankcar Exercise/Scenario.

(B) Participation in a Release of a simulated DOT Hazard Class 2.3 Poison from a Railroad Tankcar Exercise/Scenario.

(C) Participation in a simulated Accidental Release of Unknown Powered Material from a Truck Accident Exercise/Scenario.

(D) Participation in an Abandoned Leaking Drums–Multiple Hazard Exercise/Scenario.

(E) Participation in a Pressurized Gas Leak from a 1–Ton or Smaller Container Exercise/Scenario.

(F) Participation in a Transportation Incident Release of Product in an Open Area Exercise/Scenario.

(G) Participation in a Pressurized Pipeline Emergency Exercise/Scenario.

(H) Participation in a Fixed Bulk Storage Tank Exercise/Scenario.

(I) Participation in a simulated Radioactive Materials Exposure Exercise/Scenario.

(J) Participation in a simulated Corrosive Hazardous Materials Release From Railroad Tankcar Exercise/Scenario.

(K) Participation in a Release of simulated Mixed Hazardous Cargo in a Confined Area Exercise/Scenario.

(L) Participation in a Collection of Evidence and Cleanup of a simulated Illegal Drug Lab Exercise/Scenario.

(M) Participation in a Release of a simulated Combustible or Flammable Liquid from a Railroad Tankcar Exercise/Scenario.

(N) Participation in a simulated Cryogenic Tanker Accident Exercise/Scenario.

(O) Participation in a simulated Release of a Combustible or Flammable Liquid from MC 306/406 Cargo Tank Exercise/Scenario.

(P) Participation in a Stinger Operation on an Overturned MC 306/406 Cargo Tank Carrying simulated Combustible or Flammable Liquids Exercise/Scenario.

(Q) Participation in a Release of a simulated Liquefied Gas from a Railroad Tankcar Exercise/Scenario.

(4) Certified curriculum for the Hazardous Materials Emergency Response Specialist (1G) Tactical Field Operations Course shall include the following evaluation methods:

(A) Completion of the CSTI Hazardous Materials Emergency Response Specialist (1G) Tactical Field Operations Course Student Participation Record with a minimum passing score of 70% correct in all of the following manipulative skills:

(i) Donning, doffing and working in level "A" or "B" chemical protective clothing.

(ii) Application of atmospheric monitoring equipment including, combustible gas indicator, oxygen sensors, photoionization detector and radiation detection.

(iii) Collection and handling of samples.

(iv) Field identification of chemical unknowns.

(v) Selection and application of leak mitigation equipment.

(vi) Application of appropriate personnel and equipment decontamination.

(vii) Interpretation of printed and computer based reference sources.

(viii) Application of site access control zones.

(ix) Function as a member of the Hazardous Materials Response Team under the Incident Command System.

(x) Function as a member of the Entry Team.

(xi) Function as a member of the Decontamination Team.

(xii) Function as a member of the Technical Reference Team.

(5) The following materials/training aids/equipment are required for teaching the Hazardous Materials Emergency Response Specialist (1g) Tactical Field Operations Course:

(A) A State Certified Hazardous Materials Field Training Facility (FTF) containing all of the training aids, equipment, reference materials, protective clothing, forms, and safety items as designated in Section 2560(a).

(6) Certification for participants in the Hazardous Materials Emergency Response Specialist (1G) Tactical Field Operations Course shall include successful completion of the certified course as referenced in section 2520(q), delivered by a CSTI certified instructor as referenced in section 2530. Student shall attend 40 hours of training as defined by Title 19 § 2540(j)(4), accomplish all objectives, participate in all training exercises and complete the evaluation methods at the 70% standard as referenced in section 2520(q).

(r) Hazardous Materials/Weapons of Mass Destruction: Assistant Safety Officer

(1) Course Prerequisite: This course is directed to the Hazardous Materials Technician and Specialist Levels. Students must provide evidence of current certification to the Hazardous Materials Technician or Specialist Level as defined by Title 8 CCR 5192(q)(6)(C) or (D) prior to enrollment. Certified curriculum for Haz Mat/WMD: Assistant Safety Officer shall utilize Incident Action Plans, Site Safety Plans, reports from incident personnel and personal observations and shall include all of the following course objectives:

(A) The student shall demonstrate the ability to analyze a hazardous materials/WMD incident to determine the magnitude of the problem in terms of safety by observing the scene and evaluating the hazards and response information.

(B) The student shall demonstrate the ability to assist in planning a safe response within the level, resources and capabilities of the response personnel.

(C) The student shall demonstrate the ability to ensure the implementation of a safe planned response consistent with the local emergency response plan and the organization's Standard Operating Procedures.

(D) The student shall demonstrate the ability to evaluate the progress of the planned response to ensure the objectives are being met safely.

(E) The student shall prepare a site safety plan (ICS 208).

(F) The student shall demonstrate the ability to review an incident action plan and provide recommendations regarding safety components.

(G) The student shall be able to select the appropriate type and level of Personal Protective Equipment at a Haz Mat/WMD incident.

(H) When provided with a real (historical) or simulated decontamination scenario, the student shall demonstrate the skill of evaluating the decon plan and make recommendations concerning safety.

(I) The student shall demonstrate the ability to conduct safety briefings at a Haz Mat/WMD incident.

(J) The student shall demonstrate an understanding of implementation and enforcement of safety issues at a Haz Mat/WMD incident.

(K) The student shall demonstrate proper communications during a Haz Mat/WMD incident.

(L) The student shall be able to identify and evaluate the incident safety and/or action plan to detect and recognize deviations from the Site Safety Plan and any dangerous situations.

(M) The Student shall describe the procedures for taking corrective actions when dangerous situations are encountered at a Haz Mat/WMD incident.

(N) The student shall identify appropriate transportation and medical services required at a Haz Mat/WMD incident.

(O) The student shall describe the proper procedures for termination of a Haz Mat/WMD incident.

(2) To satisfy the above objectives, students will demonstrate knowledge and skills through the following activities:

(A) Safety Briefing(s)

(B) Development of a Site Safety Plan

(C) Review and discuss case studies related to safety

(D) Review and discuss past incident action plans

(3) Certified curriculum for the Haz Mat/WMD: Assistant Safety Officer Course shall be a minimum of 16 hours in length and shall include all of the course material listed in Section 2540(t).

(4) Completion of a CSTI certified Haz Mat/WMD Assistant Safety Officer Course written exam with a minimum passing score of 70% correct.

(5) Certification for participants in the Haz Mat/WMD: Assistant Safety Officer Course shall include successful completion of the certified course as referenced by Section 2520(r) and as delivered by a CSTI certified instructor as referenced in Section 2530(m). Student shall meet a minimum attendance requirement of 16 hours, accomplish all objectives, participate in the training exercises and complete the evaluation method at the 70% standard.

(s) Hazardous Waste General Site Worker

(1) This section applies to:

(A) Hazardous Waste General Site Worker 40 hour course as required by Title 8 CCR 5192(e)(3)(A) and Title 29 CFR 1910.120(e)(3)(i).

(B) Hazardous Waste Occasional Site Worker, 24 hour class as required in Title 8 CCR 5192(e)(3)(B) and Title 29 CFR 1910.120 (e)(3)(ii).

(C) Hazardous Waste Site Worker, Characterized Site 24 hour class as required by Title 8 CCR 5192(e)(3)(C) and Title 29 CFR 1910.120(e)(3)(iii).

(D) Upgrade to General Site Worker, 16 hour to Hazardous Waste General Site Worker (40 hour level) as required in Title 8 CCR 5192(e)(3)(D) and Title 29 CFR 1910.120(e)(3)(iv).

(2) This training is required to be site–specific. Course Managers will focus the learning materials and manipulative experience to represent the equipment and skill levels present on the specific site. For open–enrollment classes, where the site is unknown or a variety of different sites and situations are represented, all of the material and the below listed manipulative skills will be completed.

(3) Course Managers will use the most current version of the General Site Worker text (and supplemental materials) for both the 40 course and the 24 hour courses. Certified Curriculum will include all of the course objectives listed below.

(A) The students level of understanding of the subject matter will be verified through the use of written pre–course work sheets (contained in the Instructor Guide), homework assignments administered during the course and a minimum 50 question multiple choice/true–false examination with a minimum passing score of 70%. One retake of the exam will be permitted for students who do not attain 70% or better the first time.

(B) The participant shall meet the following knowledge objectives:

(i) Know who is responsible for the health and safety of workers on site and understand the chain of command system

(ii) Understand what Safety Hazards are or could be on a hazardous waste site

(iii) Understand what Health hazards are or could be on a hazardous waste site

(iv) Understand what other hazards which may be found on a hazardous site

(v) Have an understanding of the different types and uses of Chemical Protective Clothing

(vi) Have an understanding of the different types and uses of Safety Clothing

(vii) Have an understanding of the different types and uses of Respiratory Protective Equipment

(viii) Have an understanding of Safe Work practices and site safety

(ix) Understand how to use engineering controls during site activities

(x) Understand what equipment is or may be on a hazardous waste site and how to operate it, or where to find instruction in its use

(xi) Understand what medical surveillance is required, the elements of the program and how to access medical records.

(xii) Understand how to recognize the signs and symptoms of overexposure to hazards

(xiii) Understand the types and purpose of Decontamination at a hazardous waste site

(xiv) Understand the importance of and know the elements of an emergency response plan

(xv) Understand the Personal Protective Equipment requirements of an on–site emergency and the additional skills and equipment which may be required

(xvi) Understand the hazards and procedures associated with entry into a confined space

(xvii) Understand the different elements required in a spill control plan and the methods available to make it effective

(xviii) Understand spill containment and control options available at a hazardous waste site

(xviv) Understand how and why sites and workplaces are monitored and the types of equipment used.

(xx) Non–Mandatory elements of importance:

a. Understand how sites are characterized and analyzed

b. Understand what site control is and it's importance

c. Understand the levels of training within section 5192 and how it relates to the site worker

d. Understand safety issues including: Illumination, sanitation, hearing and other safety issues which may be found on a waste site

e. Understand terminology as it relates to hazardous waste and waste sites

(C) The participant shall meet the following skills objectives and manipulative skills will be verified by the course coordinator prior to advancement to the next skill. All participants (except the 24 hour classes) will complete all of the following:

(i) Hands–on orientation sessions with all equipment as listed in section(D)

(ii) Participation in an obstacle course as listed in section (D) (viii)

(iii) Participation in a scenario or exercise which simulates a hazardous waste site and provides the participants with the opportunity of wearing the proper PPE while performing manipulative tasks.

(D) Skills objectives will include:

(i) In small teams (of 2 or 3) write a site safety and health plan for a simulated hazardous waste site or activity

(ii) Each participant will don and doff Level C, Level B and/or Level A chemical protective equipment in practice, skill development and as directed in the final exercise

(iii) Each participant will don and doff a supplied air respirator and an air purifying respirator

(iv) Each participant will assist in the set–up and operation of a decontamination area and will decontaminate at least one person and be decontaminated themselves at least once.

(v) Each participant will practice drum opening, closing, moving and patching techniques

(vi) Each participant will practice spill containment techniques

(vii) Each participant will demonstrate the set–up and operation of an air monitor which measures at least Oxygen and Flammability (Percent of LEL)

(viii) Each participant will participate in an obstacle course designed to exercise some or all of the skills listed above

(ix) Each participant will assume a role within the final scenario and objectively demonstrate their skill in the task assigned

(x) Optional skill: Each participant will practice two types of sampling during an exercise or the obstacle course

(xi) Student to Instructor/Equipment/etc. Ratios are used in section (6) below to assure students receive an adequate level of experiential learning. See Section 2540(d)(5)(B) for information on break–outs and sectional training.

(4) The following Training aids, materials and equipment are required for teaching the 40 hour Hazardous Materials Waste General Site Worker Class (as noted in section (2) above):

(i) Student Text Books (one per student).

(ii) Reference Materials (one copy per every 4 (four) students) to include but not limited to;

a. NIOSH Pocket Guide to Chemical Hazards (current edition);

b. Appropriate Material Safety Data Sheet(s) for hazardous substances present at the work site, facility and/or industry involved;

c. The most current edition of the Department of Transportations Emergency Response Guide

(iii) Monitoring equipment used at the work site, facility and/or industry involved (one each for demonstration) or as required in (D)(vii) above.

(iv) Personal Protective Equipment used at the work site, facility and/or industry involved (one each for demonstration).

(v) Personal Protective Equipment, of the Level and type used at the site, facility and/or industry involved, for student use. The course manager shall ensure that there are sufficient suits and respiratory equipment on hand to ensure that no suit or respiratory equipment is worn twice without being cleaned and disinfected.

(vi) Forms used at the work site, facility and/or industry involved, including but not limited to:

a. Medical Monitoring Form;

b. Site Safety Health an Safety Plan;

c. Organizational Structure Form.

(vii) Decontamination equipment representative of the standard teaching model (2 or 3 pool layout) or those used at the work site, facility and/or industry involved.

(viii) Miscellaneous:

a. Tarps or shade to protect participants from heat when outside;

b. Methods of restricting access to the simulated control zones;

c. A method or device for communication during the obstacle course and final exercise;

d. Drum opening, plug, patch and sampling materials

e. Containment and control materials. Such as, but not limited to: Booms, Non–sparking shovels, sorbant, pigs and etc.

(5) Certification for participants in the Hazardous Waste General Site Worker Course shall include all of the following:

(i) Successful completion of the certified course, as referenced in Section 2520(s)

(ii) Meet a minimum attendance of 40 hours and accomplish all course objectives as referenced in Section 2520(s); and,

(iii) Completion of the CSTI certified Hazardous Waste General Site Worker Course Final Exam with a minimum passing score of 70% or better.

(6) Certified Curriculum for Hazardous Waste Occasional Site Worker (8CCR5192(e)(3)(B)) shall be 24 hours in length and the course shall use the 40 Site Worker text.

(i) Successful completion of the certified course, as referenced in Section 2520(s)

(ii) Meet a minimum attendance of 24 hours and accomplish all course objectives as referenced in Section 2520(s); and,

(iii) Completion of the CSTI certified Hazardous Waste Occasional Site Worker Course Final Exam with a minimum passing score of 70% or better.

(7) Certified Curriculum for Hazardous Waste Site Worker, Characterized Site (8CCR5192(e)(3)(C)), shall be 24 hours in length and the course shall use the 40 Site Worker text.

(i) Successful completion of the certified course, as referenced in Section 2520(s)

(ii) Meet a minimum attendance of 24 hours and accomplish all course objectives as referenced in Section 2520(s); and,

(iii) Completion of the CSTI certified Hazardous Waste Site Worker, Characterized Course Final Exam with a minimum passing score of 70% or better.

(8) Certification for Hazardous Waste General Site Worker Up–Grade to the 40 hour level from the 24 hours level (8 CCR 5192(e)(3)(D)) shall require the completion of each of the following:

(i) Successful completion of a CSTI/State certified 24 hour course as referenced in Section 2520(s)

(ii) Meet a minimum attendance of 16 hours and accomplish all course objectives as referenced in Section 2520(s)(3)(C). Participation and completion of Day 4 and Day 5 (equivalent to 16 hours) of a five day CSTI Certified 40 hour Hazardous Waste General Site Worker course is considered adequate for skill based objective completion.

(iii) Completion of the CSTI certified Hazardous Waste General Site Worker, 40 hour, Final Exam with a minimum passing score of 70% or better.

(t) Hazardous Materials Emergency Response Technician–Private Industry.

(1) Certified curriculum for Hazardous Materials Emergency Response Technician—Private Industry Course shall include all of the course objectives listed below, except as noted in paragraph (3) of this Section. Course managers shall ensure, to the extent practical, that the training methods used to meet these objectives are focused on the procedures, products and/or facilities in use at the site and/or industry that the particular class is directed at.

(A) The student shall recognize significant federal and state laws and regulations pertaining to hazardous materials and hazardous waste, as well as key provisions of each law and regulation. The student shall de-

scribe his/her rights and responsibilities under OSHA regulations and other related laws.

(B) The student shall recognize accepted safety practices common to the industrial setting. The student shall identify standard accident prevention concepts.

(C) The student shall identify key components of his/her employer's hazardous materials emergency response plan.

(D) The student shall describe the components of a site safety plan for a hazardous materials incident and identify key points that should be made in a safety briefing prior to working on the scene.

(E) The student shall recognize basic ICS concepts as they apply to hazardous materials incidents, the general organization of the Incident Command System and the applicable standard ICS forms.

(F) The student shall describe the duties of a member of the Command Staff within the Incident Command System at a hazardous materials incident.

(G) The student shall describe the duties of each position within the Hazardous Materials Group, to include: The Hazardous Materials Group Supervisor, the Entry Leader, the Decontamination Leader, the Site Access Control Leader, the Safe Refuge Area Manager, the Assistant Safety Officer–Hazardous Materials and Technical Specialist– Hazardous Materials Reference.

(H) The student shall recognize the importance of establishing control zones and identify the three control zones to be established at a hazardous materials incident.

(I) The student shall recognize basic chemical and physical terms and behaviors.

(J) The student shall describe the types of exposure, the toxic effects, the dose–response relationship and terms used to describe toxicity and environmental conditions at a hazardous materials incident.

(K) The student shall describe OSHA required Medical Programs including Medical Surveillance Program and Medical Monitoring Program.

(L) The student shall identify the types of hazard and response information available from reference manuals, hazardous materials data bases, technical information centers (i.e. CHEMTREC) and technical information specialists. The student shall explain the advantages and disadvantages of each resource. The student shall utilize various reference sources to identify hazard and response information about various hazardous materials.

(M) The student shall identify the various types of respiratory protection to include: self contained breathing apparatus (SCBA), supplied air respirators (SAR) and air purifying respirators (APR).

(N) The student shall identify the three types of Chemical Protective Clothing: vapor–protective, splash–protective and support–function clothing and describe the advantages and disadvantages of each. The student shall identify the four levels of chemical protection (EPA/NIOSH/NFPA) and match both the equipment required for each level and the conditions under which each level is used. The student shall explain the significance of degradation, penetration and permeation as they relate to suit selection.

(O) The student shall describe the procedures for donning and doffing the respiratory protection devices and protective clothing used at the facility and/or industry involved.

(P) The student shall identify various environmental, mechanical, physiological and psychological stresses to which personnel working in chemical protective clothing are subjected.

(Q) The student shall identify the mechanisms by which heat builds up in workers operating in chemical protective clothing, and the appropriate measures to take for someone experiencing a heat related illness.

(R) The student shall identify procedures by which hazardous materials response personnel will be medically monitored at hazardous materials incidents.

(S) The student shall describe the various monitoring instruments used for air monitoring to include, but not limited to: A combustible gas indicator, a colorimetric tube, a photo–ionization device, an oxygen detection device. (A multi–detection instrument reading combustible gasses, oxygen, carbon monoxide and hydrogen sulfide may also be used.) The student shall describe the theory of operation for each instrument.

(T) The student shall identify the hazards and risks involved with confined space operations during a hazardous materials release.

(U) The student shall describe the information needed to conduct a Hazard and Risk Assessment during a hazardous materials incident.

(V) The student shall identify various offensive control options that may be utilized at a hazardous materials incident including repositioning leaking drums, overpacking, using absorbents, plugging, patching and catching. The student shall describe the purpose of, procedures for, equipment required and safety precautions appropriate for each method.

(W) The student shall identify various defensive control options that may be utilized at a hazardous materials incident including damming, diking and diverting. The student shall describe the purpose of, procedures for, equipment required and safety precautions appropriate for each method.

(X) The student shall identify the various decontamination methods, the types of decontamination, factors that can affect the decontamination process and resources needed to establish a Contamination Reduction Corridor. The student shall also identify general guidelines for Emergency Decontamination, including sources for selecting appropriate decontamination procedures and solutions.

(Y) The student shall identify guidelines for dealing with injured or trapped persons at a hazardous materials incident.

(Z) The student shall describe Incident Termination and Recovery Practices and Procedures.

(AA) The student shall demonstrate the ability to perform one of the following functions at a simulated hazardous materials incident:

(i) Analyze the simulated hazardous materials incident to determine the problem and predict the outcome;

(ii) Identify and perform the appropriate ICS positions required to manage the simulated incident;

(iii) Utilize appropriate technical references to determine product identification and hazards, chemical protective clothing required, and appropriate tactical operations and decon procedures;

(iv) Select and use proper chemical protective clothing and equipment;

(v) Develop and utilize a site safety plan;

(vi) Develop and utilize an Incident Action Plan;

(vii) Identify and perform appropriate decontamination procedures;

(viii) Identify and use the appropriate tools and equipment necessary to mitigate the simulated problem;

(ix) Identify and use the selected method for identification of the released hazardous material; and,

(x) Identify and use accepted Standard Operating Procedures for hazardous materials incidents.

(BB) The student shall participate in an Incident Debriefing and a Post Incident Analysis.

(CC) Student shall define the term "hazardous materials"; identify how hazardous materials can harm people, the environment and property; and state the role of the First Responder at the Operations level as defined by Title 8 California Code of Regulations §5192(q)(6)(B).

(DD) Student shall recognize a Haz Mat incident through basic clues, warning signs, placards, labels, shipping papers, and material safety data sheets; identify the hazardous substance(s) present at the incident from a safe distance; understand the need for a positive safety attitude; and, described a safe approach to a Haz Mat incident.

(EE) Student shall describe first responder awareness actions, understanding the need for responder safety, isolation of the incident scene, the need for additional resources and making required notifications.

(FF) Student shall identify the purpose and need to safely initiate command; describe basic identification and assessment techniques; demonstrate the use of the Department of Transportation North American Emergency Response Guidebook (current DOT NAERG) for basic action planning.

(GG) Student shall identify the need and method to communicate and coordinate with typical agencies from all levels of government having authorized activities dealing with a Haz Mat event, citing those agencies, their roles/responsibilities and capabilities.

(2) Certified curriculum for Hazardous Materials Emergency Response Technician—Private Industry Course shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for Hazardous Materials Emergency Response Technician—Private Industry Course shall be 40 hours in length if the class participants have not had First Responder Operations training meeting the minimum competencies specified in Title 8, California Code of Regulations, Section 5192(q). If all of the class participants have had such training and present proof of that to the Course Manager then the minimum hours for a Certified Course may be 24 hours. A Certified Course 24 hours in length may delete the following course objectives from this Section: (I), (M), (N), (U), (W), and (CC)–(GG). A Certified Course shall include the below listed training exercises. All training exercises for this course should focus on procedures, products and facilities in use at the site and/or industry.

(A) Participation in an Introduction to Protective Clothing Exercise, including successful completion of the following objectives:

(i) Student shall identify and discuss the basic concept of chemical protective clothing, component parts, types of manufacturer, and the importance of compatibility charts.

(ii) Student shall identify and discuss the basic concept of respiratory devices, component parts, types of respiratory devices, and the importance of their use.

(iii) Completion of a Practical Course wearing "Level A" or "Level B" complete Chemical Protective Clothing Ensemble. The course shall consist of the following manipulative tasks: Walking on uneven ground, negotiate under a low object, climb a ladder, plug and patch a container, insert a drum bung, bond and ground a drum, over–pack a drum.

(B) Participation in an Introduction to Levels of Chemical Protective Clothing Exercise including successful completion of the following objectives:

(i) Student shall identify and discuss the basic concept of levels of chemical protective clothing; and,

(ii) Student shall identify different systems, and explain which one is the most appropriate for use in their workplace.

(C) Participation in an Introduction to Monitoring and detection Device Exercise, including successful completion of the following objective:

(i) Student shall identify, discuss and use monitoring and detection devices and identify and evaluate the meter readings from six (6) unknown chemicals.

(D) Participation in an Introduction to Offensive and Defensive Control Options Exercise, including successful completion of the following objective:

(i) Student shall identify, discuss and perform the basic concepts of plugging, patching and containment.

(E) Participation in an evaluation scenario including successful completion of the following objectives:

(i) Analyze the simulated hazardous materials incident to determine the problem and predict the outcome;

(ii) Identify and perform the appropriate positions within the Incident Command System required to manage the simulated incident;

(iii) Identify and utilize the technical references used for providing information for product identification, chemical protective clothing selection, tactical operations and decontamination procedures;

(iv) Select and use proper chemical protective clothing (CPC), and equipment;

(v) Develop and utilize a Site Safety Plan;

(vi) Develop and utilize an Incident Action Plan;

(vii) Identify and perform appropriate decontamination procedures;

(viii) Identify and use the selected method for field identification of the simulated released hazardous material;

(ix) Identify and use the accepted standard operating procedures for hazardous materials incidents; and,

(x) Participate in a post–scenario analysis.

(4) Certified curriculum for Hazardous Materials Emergency Response Technician—Private Industry Course shall include the following evaluation method:

(A) Completion of the CSTI certified Haz Mat Emergency Response Technician—Private Industry Course Final Exam with a minimum passing score of 70% correct.

(5) The following materials/training aids/equipment are required for teaching the Hazardous Materials Emergency Response Technician—Private Industry Course:

(A) Student Text Books (one per student).

(i) If the Course Manager conducts the class in 40 hours they shall use the Hazardous Materials Emergency Response Technician—Private Industry Student Notebook.

(ii) If the Course Manager conducts the class in 24 hours they shall use the Hazardous Materials Emergency Response Technician—Private Industry (24 Hour) Student Notebook.

(B) Reference Materials (one copy per every 10 students)–

(i) NIOSH Pocket Guide to Chemical Hazards (current edition);

(ii) Department of Transportation North American Emergency Response Guidebook (current edition);

(iii) An appropriate Material Safety Data Sheet for a chemical used at the facility and/or industry involved;

(iv) California Hazardous Materials Incident Contingency Plan (current edition).

(C) Monitoring equipment used at the facility and/or industry involved (one each for demonstration).

(D) Chemical protective clothing used at the facility and/or industry involved (one each for demonstration).

(E) Chemical protective clothing, of the Level and type used at the facility and/or industry involved, for student use. The course manager shall ensure that there are sufficient suits on hand to ensure that no suit is worn twice without being cleaned and disinfected.

(F) Forms used at the facility and/or industry involved, including but not limited to:

(i) Medical Monitoring Form;

(ii) Site Safety Plan;

(iii) Current ICS Forms, including:

a. Form 201 Incident Briefing,

b. Form 202 Incident Objectives,

c. Form 205 Incident Radio Communications Plan, and

d. Form 214 Unit Log.

(G) Decontamination equipment used at the facility and/or industry involved.

(H) Miscellaneous:

(i) A device to indicate approximate wind direction and velocity;

(ii) Methods of restricting access to the simulated control zones;

(iii) Devices or methods of communication between the simulated incident commander, simulated response team and exercise facilitators;

(iv) Incident Command vests for at least the following ICS positions:

a. Haz Mat Group Supervisor,

b. Assistant Safety Officer,

c. Entry Leader,

d. Decon Leader,

e. Technical Reference Leader,

f. Site Access Leader, and

g. Safe Refuge Area Manager.

(6) Certification for participants in the Hazardous Materials Emergency Response Technician—Private Industry Course shall include all of the following:

(A) Successful completion of the certified course, as referenced in Section 2520 (t);

(B) Successful completion of the certified course as referenced in Section 2520 (t) as coordinated by a CSTI Haz Mat Section faculty member; and,

(C) Attend 40 hours of training as defined by Title 19 § 2540(j)(4), except as noted in Paragraph (3) of this Section and accomplish all course objectives as referenced in Section 2520 (t).

(u) Hazardous Materials Emergency Response – Advanced Environmental Crimes Investigations.

(1) Certified curriculum for Hazardous Materials Emergency Response Advanced Environmental Crimes Investigations Course shall include all of the following course objectives:

(A) Student shall recognize an environmental crime scene and follow recognized principles of toxicology, chemistry and sampling while conducting the field investigation.

(B) Student shall identify areas of the crime scene which would require sampling, obtain an enforcement sample and recognize the type of laboratory analysis needed to prove the case.

(C) Student shall conduct advanced chemical field testing and identify a series of unknown chemicals by chemical name, DOT hazard class and properties.

(D) Student shall use the principles of advanced investigation techniques to identify the suspects in a complex investigation.

(E) Student shall apply the principles of advanced interviewing skills.

(F) Student shall be familiar with the requirements of conducting undercover operations.

(G) Student shall become familiar with the skills necessary to conduct surveillance operations.

(H) Student shall outline the investigative steps necessary to conduct a complex environmental crimes case, collect evidence, explain the process for obtaining search warrants and deliver an oral briefing of the case.

(I) Student shall understand how to conduct an ethical investigation and know the steps of developing an environmental policy.

(J) Student shall identify legal trends and legislative updates.

(K) Student shall know how to conduct successful task force operations.

(2) Certified curriculum for Hazardous Materials Emergency Response Advanced Environmental Crimes Investigations Course shall be 40 hours in length and shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for Hazardous Materials Emergency Response Advanced Environmental Crimes Investigations Course shall include the following training exercises:

(A) Demonstrate proper procedures for field sampling; and,

(B) Demonstrate proper procedures for advanced chemical field testing; and,

(C) Demonstrate ability, through the gathering of information, collection of data from sampling, review of witness statements, to form opinions and determine the correct recommendations for criminal or civil filing of the case.

(4) Certification for participants in the Hazardous Materials Emergency Response Advanced Environmental Crimes Investigations Course shall include successful completion of a certified course as referenced in Section 2520 (u) as delivered by a CSTI certified instructor as referenced in Section 2530. Student shall attend 40 hours of training as defined by Title 19 § 2540(j)(4), accomplish all objectives, and participate in training exercises as referenced in Section 2520 (u).

(v) Hazardous Materials Emergency Response – Emergency Medical Response to Hazardous Materials Incidents: A Guide for First Responders.

(1) Certified curriculum for Emergency Medical Response to Hazardous Materials Incidents: A Guide for First Responders Course shall include all of the following course objectives:

(A) Student shall describe the recognition clues for determining the hazards present to the responder and patients at a hazardous materials incident.

(B) Student shall describe the need for appropriate decontamination of personnel, patients and equipment, including the ability to identify situations which present risks from secondary contamination.

(C) Student shall identify the role of Emergency Medical Service personnel at a hazardous materials incident.

(D) Student shall identify and describe the Emergency Medical Service component at a hazardous materials incident.

(E) Student shall demonstrate identification and hazard assessment techniques.

(F) Student shall demonstrate use of the current edition of the North American Emergency Response Guidebook in order to initiate basic action planning.

(G) Student shall describe the need for, types, selection criteria and limits of personal protective equipment commonly used at a hazardous materials emergency.

(H) Student shall describe the preparation necessary for receiving patients who have been exposed to hazardous materials, and the treatment considerations for the patient who has been exposed to hazardous materials.

(I) Student shall describe the monitoring steps and elements of medical support for hazardous materials response personnel.

(J) Student shall identify patient needs assessment techniques and describe the appropriate level of emergency medical care at a hazardous materials incident.

(K) Student shall identify the actions required to terminate a hazardous materials incident.

(3) Certified curriculum for the Emergency Medical Response to Hazardous Materials Incidents: A Guide for First Responders Course shall be a minimum of 16 hours in length and shall include all of the course material listed in Section 2540(t).

(4) Certified curriculum for the Emergency Medical Response to Hazardous Materials Incidents: A Guide for First Responders Course shall include the following training exercise:

(A) Participation in a table–top exercise including successful completion of the following objectives:

(i) Demonstrate identification and hazard assessment techniques;

(ii) Demonstrate use of the current version of the North American Emergency Response Guidebook in order to initiate basic action planning.

(5) Certified curriculum for the Emergency Medical Response to Hazardous Materials Incidents: A Guide for First Responders Course shall include the following evaluation method:

(A) Completion of a CSTI certified Emergency Medical Response to Hazardous Materials Incidents: A Guide for First Responders Course written exam with a minimum passing score of 70% correct.

(6) Certification for participants in the Emergency Medical Response to Hazardous Materials Incidents: A Guide for First Responders Course shall include successful completion of a certified course as referenced by Section 2520 (v) as delivered by a CSTI certified instructor as referenced in Section 2530. Student shall meet a minimum attendance of 16 hours, accomplish all objectives, participate in the training exercise and complete the evaluation method at the 70% standard as referenced in Section 2520 (v).

(w) Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Operations and Decontamination for Health Care

(1) Certified curriculum for Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Operations and Decontamination for Health Care shall include all of the following course objectives:

(A) Student shall recognize a Haz Mat incident through basic clues, warning signs, placards, labels, shipping papers, and material safety data sheets; understand need for a positive safety attitude; and, describe a safe approach to a Haz Mat incident.

(B) Student shall describe first responder operations actions, with an understanding of the need for safety, isolation and making required notifications to a hazardous materials incident.

(C) Student shall identify the purpose and need to safely initiate command; describe the basic implementation of the Incident Command System (ICS) and the Hospital Emergency Incident Command System (HEICS), cite basic identification and assessment techniques; demonstrate the use of the current edition of the Emergency Response Guidebook or other appropriate reference sources for basic action planning.

(D) Student shall explain the need for, types, selection criteria and limits of protective equipment commonly used in Haz Mat incidents.

(E) Student shall identify need for the appropriate field decontamination of victims, emergency response/facility personnel and equipment, in order to avoid additional contamination; and cite the requirements for proper disposal and documentation during a hazardous materials response.

(F) Student shall describe proper procedures for the set up of a decontamination area at their Emergency Department should a contaminated victim of Hazardous Materials walk in.

(G) Student shall cite the health effects that Hazardous Materials present to the first responder's life and safety.

(H) Student shall describe methods to determine what types of Hazardous Materials are used by the healthcare facility and local industries in order to plan for Hazardous Materials victims in their Emergency Department.

(I) Student shall describe the value, methods and limitations of stabilizing the Haz Mat incident through safe containment; and, describe the proper protective action and rescue options available to first responders, within their capabilities and resources.

(J) The student shall understand the need for Decontamination training for First Responders at the Operations Level.

(K) The student shall understand the basic principles of decontamination. The student shall understand the protocols for performing Patient Decontamination.

(L) The student shall participate in a demonstration, walk–through and practice of decontamination protocols, to aid in the ability to set–up Patient Decontamination per the student's employer's guidelines or generic Decontamination Standard Operating Procedure.

(M) The student shall understand the personal protective equipment protocols and safety issues associated with Primary Decontamination.

(N) Student shall identify the need and method to communicate and coordinate with typical agencies from all levels of government having authorized activities dealing with a hazardous materials event, citing those agencies, their roles/responsibilities and capabilities.

(2) Certified curriculum for Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Operations and Decontamination for Health Care shall be a minimum of 16 hours in length and shall include all of the course material listed in Section 2540(t).

(3) Certified curriculum for Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Operations and Decontamination for Health Care shall include the following training exercises:

(A) Demonstrate proper use of the current edition of the Emergency Response Guidebook or other appropriate reference sources to include the successful completion of the following objectives:

(i) Student shall determine hazards to the first responder and Hazardous Materials victim.

(ii) Student shall determine if personal protective equipment is appropriate.

(B) The student shall participate in an activity requiring them to properly don and doff appropriate chemical protective clothing (CPC) and an activity requiring them to complete a practical exercise involving the performance of common manipulative tasks while wearing the appropriate CPC. The student shall understand proper medical monitoring procedures and applicable hand signals before participating in any activity while wearing CPC.

(C) The student shall perform Primary Decontamination, in appropriate chemical protective clothing per the student's employer's guidelines or generic Decontamination Standard Operating Procedure.

(D) The student shall review, and if possible improve, their own or a generic Decontamination Standard Operating Procedure based on the key course content.

(4) Certified curriculum for Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Operations and Decontamination for Health Care shall include the following evaluation method:

(A) Completion of a CSTI certified Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Operations and Decontamination for Health Care written exam with a minimum passing score of 70% correct.

(5) Certification for participants in the Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Operations and Decontamination for Health Care Course shall include successful completion of a certified course as referenced by Section 2520(w) as delivered by a CSTI certified instructor as referenced in Section 2540. Student shall meet a minimum attendance of 16 hours, accomplish all objectives, participate in the training exercise and complete the evaluation method at the 70% standard as referenced in Section 2520(e).

(x) Hazardous Materials Emergency Response First Responder Operations – Decontamination

(1) Certified curriculum for Hazardous Materials Emergency Response First Responder Operations – Decontamination Course shall include all of the following course terminal objectives:

(A) The student shall understand the need for Decontamination training for First Responders at the Operations Level.

(B) The student shall understand the basic principles of decontamination.

(C) The student shall understand the protocols for performing Primary Decontamination, consistent with the FIRESCOPE Incident Command System.

(D) The student shall participate in a demonstration, walk–through and practice of decontamination protocols, to aid in the ability to set–up a Primary Decon "Contamination Reduction Corridor," per the student's employer's guidelines or generic Decontamination Standard Operating Procedure.

(E) The student shall understand the personal protective equipment protocols and safety issues associated with Primary Decontamination.

(F) The student shall participate in an activity requiring them to properly don and doff "Level B" personal protective equipment and an activity requiring them to complete a practical exercise involving the performance of common manipulative tasks while wearing "Level B" personal protective equipment. The student shall understand proper medical monitoring procedures and applicable hand signals before participating in any activity while wearing "Level B" personal protective equipment.

(G) The student shall perform Primary Decontamination, in "Level B" personal protective equipment per the student's employer's guidelines or generic Decontamination Standard Operating Procedure.

(H) The student shall review, and if possible improve, their own or a generic Decontamination Standard Operating Procedure based on the key course content.

(2) Certified curriculum for the Hazardous Materials Emergency Response First Responder Operations – Decontamination Course shall include all of the current course material listed in Section 2540(t).

(3) Certified curriculum for the Hazardous Materials Emergency Response First Responder Operations – Decontamination Course shall be a minimum of 8 hours in length and shall include the below listed training exercises.

(A) The student shall participate in an activity requiring them to properly don and doff "Level B" personal protective equipment and an activity requiring them to complete a practical exercise involving the performance of common manipulative tasks while wearing "Level B" personal protective equipment. While performing this activity, they must traverse a distance of at least 200 feet.

(B) Student shall participate in a "Functional Decon Exercise," performing Primary Decontamination, per the student's or generic Decontamination Standard Operating Procedure, that meets the following objectives:

(i) Demonstrate safe operations throughout the exercise;

(ii) Demonstrate selection of a safe Contamination Reduction Corridor, and demonstrate setting up the corridor, including all necessary equipment needed for Primary Decon;

(iii) Demonstrate the safe and effective management and performance of Primary Decon procedures, ensuring "Level B" personal protective equipment in the Contamination Reduction Corridor;

(iv) Demonstrate the proper use of control zones, and maintain proper personal protective equipment for all personnel within all of those zones; and,

(v) Participate in a post-exercise debriefing.

(4) Certified curriculum for Hazardous Materials Emergency Response First Responder Operations – Decontamination Course shall include the following evaluation method:

(A) Completion of the current CSTI certified Hazardous Materials Emergency Response First Responder Operations – Decontamination Course Final Exam with a minimum passing score of 70% correct.

(5) The following materials/training aids/equipment are required for teaching the Hazardous Materials Emergency Response First Responder Operations – Decontamination Course:

(A) Student Text Books (one per student).

(B) Decontamination equipment to support the student's employer's guidelines or generic Decontamination Standard Operating Procedure.

(C) Chemical Protective Clothing, and Self Contained Breathing Apparatus, used at the facility and/or agency involved, or "Level B" personal protective equipment (one each for demonstration).

(D) Medical Monitoring equipment to support the level of Chemical Protective Clothing and Self Contained Breathing Apparatus used at the facility and/or agency involved, or "Level B" personal protective equipment.

(E) Forms used at the facility and/or agency involved, including but not limited to:

(i) Medical Monitoring Form; and

(ii) Site Safety Plan.

(6) Certification for participants in the Hazardous Materials Emergency Response First Responder Operations – Decontamination Course shall include all of the following:

(A) Successful completion of the certified course, as referenced in Section 2520 (x) as delivered by a CSTI certified instructor as referenced by 2530;

(B) Meet a minimum attendance of 8 hours and accomplish all course objectives as referenced in Section 2520 (x); and

(C) Complete the evaluation method at the 70% standard as referenced in Section 2520(x).

(y) Hazardous Materials Emergency Response — First Responder Awareness—Nuclear, Biological and Chemical Agents.

(1) Certified curriculum for First Responder Awareness—Nuclear, Biological and Chemical Agents course shall include all of the following course objectives:

(A) Cite and describe the general types of nuclear, biological, and chemical (NBC) weapons and agents. State the hazards each present to first responders.

(B) State the indicators that would help a first responder recognize when an incident may involve NBC weapons or agents.

(C) Describe the three basic First Responder actions upon discovery of an incident that potentially involves NBC weapons or agents.

(2) Certified curriculum for First Responder Awareness—Nuclear, Biological and Chemical Agents course shall include all of the current course material listed in Section 2540(t).

(3) A First Responder Awareness—Nuclear, Biological and Chemical Agents course certified under these regulations shall be a minimum of four (4) hours in length.

(4) Certified curriculum for First Responder Awareness—Nuclear, Biological and Chemical Agents course shall include the following training exercise:

(A) Participation in a table-top exercise including successful completion of the following objectives:

(i) Recognize the potential presence of a Nuclear, Biological or Chemical agent; and,

(ii) Identify safety precautions to take at the First Responder Awareness Level; and,

(iii) Identify required notifications the First Responder Awareness shall make.

(5) Certification for participants in First Responder Awareness—Nuclear, Biological and Chemical Agents course shall include successful completion of a certified course as referenced in section 2520(y) as delivered by a CSTI certified instructor as referenced in section 2530. Student shall meet a minimum attendance of four (4) hours, and accomplish all objectives and participate in the required exercise.

(z) Hazardous Materials Emergency Response – First Responder Operations—Nuclear, Biological and Chemical Agents.

(1) Certified curriculum for First Responder Operations—Nuclear, Biological and Chemical Agents course shall include all of the following course objectives:

(A) Cite and describe the general types of Nuclear, Biological, and Chemical (NBC) weapons and agents. State the hazards each present to first responders. Describe the past use of such agents by terrorists or others.

(B) State the indicators that would help a first responder recognize when an incident may involve NBC weapons or agents.

(C) Describe basic First Responder actions upon discovery of an incident that potentially involves NBC weapons or agents. State basic actions to follow for each general type of NBC agent. Identify sources of assistance and/or information for such incidents.

(2) Certified curriculum for First Responder Operations—Nuclear, Biological and Chemical Agents course shall include all of the current course material listed in Section 2540(t).

(3) A First Responder Operations—Nuclear, Biological and Chemical Agents course certified under these regulations shall be a minimum of six (6) hours in length.

(4) Certified curriculum for First Responder Operations—Nuclear, Biological and Chemical Agents course shall include the following training exercise:

(A) Participation in a table-top exercise including successful completion of the following objectives:

(i) Recognize the potential presence of a Nuclear, Biological or Chemical agent; and,

(ii) Identify response actions, including safety procedures, isolation distances, required notifications and agencies and resources needed; and,

(iii) Conduct safe identification and assessment using the current Emergency Response Guidebook.

(B) At the discretion of the course manager, if the student has not demonstrated all the objectives in (z)(4)(A) above, the course manager may require the student to take a CSTI certified FRO NBC written exam with a passing score of 70%.

(5) Certification for participants in First Responder Operations—Nuclear, Biological and Chemical Agents course shall include successful completion of a certified course as referenced in section 2520(z) as delivered by a CSTI certified instructor as referenced in section 2530. Student shall meet a minimum attendance of six (6) hours, accomplish all objectives and participate in the required exercise, and or complete the CSTI

certified FRO NBC exam at or above the 70% standard as referenced in 2520(z)(4)(B).

(aa) Haz Mat Emergency Response – Incident Commander—Nuclear, Biological and Chemical Agents.

(1) Certified curriculum for Incident Commander—Nuclear, Biological and Chemical Agents course shall include all of the following course objectives:

(A) Cite and describe the general types of Nuclear, Biological, and Chemical (NBC) weapons and agents. State the hazards each present to first responders. Describe the past use of such agents by terrorists or others

(B) State the indicators that would help a first responder recognize when an incident may involve NBC weapons or agents.

(C) Describe the similarities and differences between a hazardous materials incident, a mass casualty incident and an incident involving nuclear, biological or chemical (NBC) agents and identify the issues that make an NBC incident different from other emergency response incidents.

(D) Identify the role and responsibilities of an Incident Commander in an incident involving NBC agents.

(E) Cite the federal and state plans that apply to incidents involving NBC agents.

(F) Identify local, state and federal agencies that are most likely to respond to an incident involving NBC agents. State the response times expected for these agencies.

(G) Compare and contrast the Incident Command System and the Federal Bureau of Investigation's NBC response organization. Explain the need and benefits of unified command in an incident involving NBC agents.

(H) Identify at least 5 "Special/Unique" management issues the Incident Commander will address in managing a valid NBC incident.

(2) Certified curriculum for Incident Commander—Nuclear, Biological and Chemical Agents course shall include all of the current course material listed in Section 2450(t).

(3) An Incident Commander—Nuclear, Biological and Chemical Agents course certified under these regulations shall be a minimum of six (6) hours in length.

(4) Certified curriculum for Incident Commander—Nuclear, Biological and Chemical Agents course shall include the following training exercise:

(A) Given a Nuclear, Biological, or Chemical agent incident, students will participate in a table–top exercise including successful completion of the following objectives:

(i) Recognize the potential presence of a Nuclear, Biological or Chemical agent, including the primary hazard of the agent involved; and,

(ii) Identify safety concerns, management issues, preparedness issues and government resources needed; and,

(iii) Identify ICS positions needed to manage the response to an incident involving NBC agents; and,

(iv) Address and resolve at least one "special/unique" management issue given by the instructor.

(B) At the discretion of the course manager, if the student has not demonstrated all the objectives in (aa)(4)(A) above, the course manager may require the student to take a CSTI certified Haz Mat Emergency Response — Incident Commander — Nuclear, Biological and Chemical Agents written exam with a passing score of 70%.

(5) Certification for participants in Incident Commander—Nuclear, Biological and Chemical Agents course shall include successful completion of a certified course as referenced in section 2520(aa) as delivered by a CSTI certified instructor as referenced in section 2530. Student shall meet a minimum attendance of eight (8) hours, accomplish all objectives and participate in the required exercise, and/or complete the CSTI certified Haz Mat Emergency Response — Incident Commander — Nuclear, Biological and Chemical Agents (at or above the 70% standard) as referenced in 2520(aa)(4)(B).

(bb) Hazardous Materials Emergency Response — Clandestine Methamphetamine Laboratory First Responder Awareness

(1) Certified curriculum for Clandestine Methamphetamine Laboratory First Responder Awareness Course shall include all of the following course objectives.

(A) Student shall recognize the general hazards of clandestine methamphetamine laboratories.

(B) Student shall recognize the risks associated with clandestine methamphetamine laboratories and the potential for negative outcomes they present to first responders.

(C) Student shall recognize the risks associated with clandestine methamphetamine laboratories at the Awareness level.

(D) Student shall recognize basic clues or indicators which may include identifying a vehicle, building, room or other location as a possible clandestine methamphetamine laboratory.

(E) Student shall describe first responder actions upon discovering a clandestine methamphetamine laboratory and state procedures to ensure responder safety, isolate the scene and make necessary notifications.

(2) Certified curriculum for Clandestine Methamphetamine Laboratory First Responder Awareness shall be a minimum of 4 hours in length.

(3) Certified curriculum for Clandestine Methamphetamine Laboratory First Responder Awareness shall include a tabletop exercise involving the recognition of a clandestine methamphetamine laboratory.

(4) Certification for participants in the Clandestine Methamphetamine Laboratory First Responder Awareness Course shall include successful completion of the certified course as referenced in section 2520 (aa) as delivered by a CSTI certified instructor as referenced in section 2530. Student shall meet a minimum attendance of 4 hours, accomplish all objectives, and participate in the training exercise.

NOTE: Certification in the Clandestine Methamphetamine Laboratory First Responder Awareness Course is not equivalent to certification in as First Responder Awareness Level as defined in section 2520(a).

(cc) Hazardous Materials Emergency Response — Clandestine Methamphetamine Laboratory First Responder Operations

(1) Certified curriculum for Clandestine Methamphetamine Laboratory First Responder Operations Course shall include all of the following course objectives.

(A) Student shall recognize the general hazards of clandestine methamphetamine laboratories.

(B) Student shall recognize the risks associated with clandestine methamphetamine laboratories and the potential for negative outcomes they present to first responders.

(C) Student shall describe the role of first responders at clandestine methamphetamine laboratories at the Awareness level.

(D) Student shall recognize basic clues or indicators, identify a vehicle, building, room or other location as a possible clandestine methamphetamine laboratory.

(E) Student shall describe first responder actions upon discovering a clandestine methamphetamine laboratory and state procedures to ensure responder safety, isolate the scene and make necessary notifications.

(F) Student shall describe first responder actions upon discovering a clandestine methamphetamine laboratory and state procedures to ensure responder safety, isolate the scene and make necessary notifications.

(G) Student shall identify the purpose and need to safely initiate command and explain the purpose and procedures of scene control; describe the basic implementation of the appropriate site specific Incident Command System (ICS); and, demonstrate proper information flow from the First Responder to the Incident Commander.

(H) Student shall explain the need for, types, selection criteria and limits of protective equipment commonly used in incidents involving clandestine methamphetamine laboratories.

(I) Student shall describe safe defensive action options available to the First Responder and explain the protective action options available.

(J) Student shall identify the need for and describe procedures to implement the appropriate decontamination of victims, emergency response personnel and equipment.

(K) Student shall describe proper disposal and documentation procedures for responses to incidents involving clandestine methamphetamine laboratories.

(L) Student shall identify the need and describe the methods to communicate and coordinate with typical government agencies which respond to incidents involving clandestine methamphetamine laboratories. The student shall cite those agencies and describe their roles, responsibilities and capabilities.

(M) Student shall state the health effects that clandestine methamphetamine laboratories present to the First Responder's life and health.

(2) Certified curriculum for Clandestine Methamphetamine Laboratory First Responder Operations shall be a minimum of 8 hours in length.

(3) Certified curriculum for Clandestine Methamphetamine Laboratory First Responder Operations shall include a tabletop exercise involving the recognition of a clandestine methamphetamine laboratory.

(4) Certified curriculum for Clandestine Methamphetamine Laboratory First Responder Operations Course shall include the following evaluation method:

(A) Completion of a CSTI certified Clandestine Methamphetamine Laboratory First Responder Operations written exam with a minimum passing score of 70% correct.

(5) Certification for participants in the Clandestine Methamphetamine Laboratory First Responder Operations Course shall include successful completion of the certified course as referenced in section 2520 (bb) as delivered by a CSTI certified instructor as referenced in section 2530. Student shall meet a minimum attendance of 8 hours, accomplish all objectives, participate in the training exercise, and complete the evaluation method at the 70% standard as referenced in 2540(e).

NOTE: Certification in the Clandestine Methamphetamine Laboratory First Responder Operations Course is not equivalent to certification in as First Responder Operations Level as defined in section 2520(b).

(dd) Hazardous Materials Emergency Response—Mass Casualty Decontamination:

(1) Certified curriculum for Mass Casualty Decontamination shall include all of the following objectives:

(A) Students will demonstrate an understanding of the cultural diversity that exists in their response areas and how that would relate to a mass decontamination process;

(B) Students shall recognize the need to protect the modesty of the general public when decontamination is required;

(C) Students shall recognize the challenges presented by multiple languages be used at an incident scene;

(D) Students shall demonstrate an understanding of what decontamination problems are presented by the various chemical, biological and radiological agents they may encounter;

(E) Students shall identify the need for appropriate field decontamination of victims, emergency response personnel and equipment in order to avoid additional contamination;

(F) Students shall identify the differences between Emergency and Planned Decontamination and indicate when they should be used in mass decontamination situations;

(G) Students shall identify methods of accessing technical experts and reference sources in determining the need for decontamination;

(H) Students shall become familiar with the various types of equipment that can be purchased or improvised to assist in mass casualty decontamination incidents;

(I) Students shall recognize the problems associated with the transportation of large numbers of victims, and the need to insure adequate decontamination has been performed prior to transport; and

(J) Students shall recognize the needs, operational procedures and limitations of their local hospitals and emergency departments.

(2) Certified curriculum for Mass Casualty Decontamination shall be a minimum of 8 hours in length and include all of the course material listed in Section 2540(t):

(3) Certified curriculum for Mass Casualty Decontamination shall include the following training exercises:

(A) Demonstrate the selection and use of the proper level of chemical protective clothing;

(B) Demonstrate the ability to utilize and set up assorted commercial mass casualty decontamination modesty structures;

(C) Demonstrate the ability to improvise modesty structures at an incident using available vehicles and equipment typically carried on fire apparatus;

(4) Certified curriculum for Mass Casualty Decontamination shall include the following evaluation method:

(A) Completion of the certified Mass Casualty Decontamination Course and participation in the hands on field exercises.

(5) Certification for participants in the Mass Casualty Decontamination Course shall include successful completion of a certified course as referenced by Section 2520(dd), delivered by a CSTI instructor as referenced in Section 2530. Students shall meet a minimum attendance of 8 hours, accomplish all objectives and participate in the field training exercises referenced in Section 2520(dd)

(ee) Hazardous Materials/Weapons Of Mass Destruction, First Responder Operations, Law Enforcement Field Support Course.

(1) Certified curriculum for Hazardous Materials/Weapons of Mass Destruction, First Responder Operations, Law Enforcement Field Support Course shall include all of the following course objectives:

(A) A fundamental understanding of federal, state, and local emergency response and management principles associated with a Weapons of Mass Destruction (WMD) incident or hazardous materials (Haz Mat) release;

(B) An understanding of fundamental terms and definitions associated with WMD and Haz Mat;

(C) An understanding of the nature of WMD and Haz Mat including the risks and potential negative outcomes associated with their release;

(D) An understanding of potential roles and responsibilities of law enforcement personnel who are trained at a First Responder Operations Level to support a coordinated public safety response to a WMD incident or Haz Mat release;

(E) An understanding of the issues associated with deploying a Mobile Field Force within the control zones of a WMD incident or Haz Mat release;

(F) Knowledge of devices and hazardous substances terrorists are likely to employ to create a WMD incident;

(G) The ability to recognize, identify, and assess the signs, symptoms, characteristics, and indicators that a WMD or a Haz Mat is present or has been released;

(H) An understanding of the adverse effects on persons associated with a WMD incident or Haz Mat release;

(I) A basic understanding of pertinent laws and regulations associated with Haz Mat training, emergency response, with an emphasis on Level C chemical protective clothing (as defined in subsection (ee)(3)(A)1.–6.) and respiratory protection requirements;

(J) An understanding of selection criteria, limitations, and capabilities of chemical protective clothing with an emphasis on Level C;

(K) An understanding of the medical considerations associated with utilizing chemical protective clothing;

(L) The ability to correctly don and doff a Level C chemical protective clothing ensemble;

(M) The ability to effectively perform law enforcement–related manipulative tasks while wearing a level C chemical protective clothing ensemble;

(N) The ability to use the current U.S. Department of Transportation (DOT) Emergency Response Guidebook (ERG) to identify hazards and establish initial isolation and evacuation distances;

(O) The ability to recognize the need for additional specialized resources and to initiate the appropriate notifications;

(P) An awareness of basic containment, control, and rescue techniques employed by responders to a WMD incident or Haz Mat release;

(Q) An understanding of the concept of "risk versus gain" with respect life safety decisions;

(R) An understanding of emergency and planned decontamination concepts and methods;

(S) An awareness of the need for appropriate incident documentation;

(T) An awareness of Haz Mat disposal issues (e.g., scene clean–up and remediation); and

(U) An understanding of the roles, responsibilities, coordination and capabilities of Haz Mat incident response agencies.

(2) Certified curriculum for Hazardous Materials/Weapons of Mass Destruction, First Responder Operations, Law Enforcement Field Support Course shall be a minimum of 16 hours in length and shall include all course materials listed in Section 2540(t).

(3) Certified curriculum for Hazardous Materials/Weapons of Mass Destruction, First Responder Operations, Law Enforcement Field Support Course shall include the following training activities and exercises:

(A) Students shall be required to correctly don and doff a Level C chemical protective clothing ensemble according to a checklist provided by the presenter. All students shall be medically monitored prior to, and immediately following the wearing of chemical protective clothing. Monitoring shall be accomplished by recording vital signs (i.e., blood pressure, respirations, pulse rate, and temperature) every time training in chemical protective clothing occurs. A follow–up set of vital signs shall be acquired and recorded after performing tasks in chemical protective clothing. The ensemble shall minimally consist of the following:

1. Chemical protective garment
2. Air Purifying Respirator (APR)
3. Over–boots
4. Inner Gloves
5. Outer Gloves
6. Chemical Tape

(B) While wearing a Level C chemical protective clothing ensemble and a standard law enforcement utility belt, students shall be required to perform a series of law enforcement–related manipulative tasks that may include, but are not necessarily limited to the following:

1. Searching persons
2. Suspect control and handcuffing
3. Drawing, handling, and re–holstering firearms
4. Use of Impact Weapons
5. Use of hand and arm signals
6. Use of communications devices
7. Writing
8. Individual and team movement
9. Crowd control tactics

(C) While wearing a Level C chemical protective clothing (CPC) ensemble, the student shall cycle through a planned decontamination process.

1. It is recommended that this activity involve an actual wet decontamination line to permit students to experience a realistic example of a mass decontamination process and to evaluate the efficacy of their chemical protective clothing.

(D) Given a current edition of the U.S. Department of Transportation (DOT) Emergency Response Guidebook (ERG) and criteria provided by the presenter regarding a mock event, the student shall use the ERG to identify anticipated hazards and determine initial isolation and protective action distances.

(E) Given a tabletop exercise and supporting references provided by the presenter, students shall participate individually or in groups in order to demonstrate their understanding of the following:

1. Proper personal safety considerations
2. Minimum isolation distances
3. Notification requirements
4. Information available from the ERG
5. Appropriate protective actions, if required (e.g., evacuations, in–place protection, etc.)
6. Briefing the appropriate authorities regarding on–scene actions and conditions

(F) Given a field scenario involving the simulated release of a WMD agent or hazardous material, students shall be required to perform a series of law enforcement–related tasks, as dictated by the incident, which may include any of the following:

1. Pre–response planning
2. Correctly donning a Level C CPC ensemble
3. Responding to the incident scene as part of a Mobile Field Force Team
4. Providing security for the decontamination process and other first responders at the scene
5. Assisting the movement of incapacitated persons from an emergency decontamination area to the planned decontamination area
6. Providing for officer safety and weapon security
7. Operating as a member of a designated arrest team
8. Cycling through a planned decontamination line
9. Correctly doffing the CPC
10. Post–response debriefing and critique

(G) Students shall participate in exercises and activities involving:

1. Completing an activity involving the use of the current Department of Transportation Emergency Response Guidebook
2. Respond to a simulated WMD/ Haz Mat incident and perform a variety of law enforcement functions, to include decontamination, while in Level C chemical protective clothing ensemble and tactical equipment
3. Don and doff Level C chemical protective clothing ensembles and performing basic law enforcement functions and tasks in response to a simulated WMD incident

(4) Certification for participants in the Hazardous Materials/Weapons of Mass Destruction, First Responder Operations, Law Enforcement Field Support Course shall include successful completion of a certified course as referenced in section 2520(ee) as delivered by a CSTI certified instructor (as referenced in section 2530). Student shall meet a minimum attendance of 16 hours, accomplish all objectives, participate in training exercises and complete the evaluation method at the 70% standard as referenced in section 2520(ee).

(ff) Hazardous Materials, Weapons of Mass Destruction Terrorism for the Technician/ Specialist Course

(1) Course Prerequisite: This course is directed to the Hazardous Materials Technician and Specialist Levels. Students must provide evidence of current certification to the Hazardous Materials Technician or Specialist Level as defined by Title 8 CCR 5192(q)(6)(C) or (D) prior to enrollment.

(2) Certified curriculum for Hazardous Materials, Weapons of Mass Destruction Terrorism for the Technician/ Specialist Course include all of the following course objectives. The terminal objectives for the Hazardous Materials, Weapons of Mass Destruction, Terrorism for the Technician/Specialist Course are to provide students with:

(A) A knowledge of Terrorism, its definition and how it applies to Hazardous Materials Emergency Response;

(B) A knowledge of past terrorism events and lessons learned from those events;

(C) A knowledge of devices and hazardous substances terrorists are likely to employ to create a WMD incident;

(D) A knowledge of Chemical weapons, their heath effects, antidotes and treatment;

(E) A knowledge of the sources and composition of Chemical weapons to include; military, Industrial and homebrew;

(F) A knowledge of Biological weapons, their heath effects, vaccinations, antidotes, treatment, and mortality;

(G) A knowledge of Biological weapons, their persistence and contagiousness;

(H) A knowledge of the sources and composition of Biological weapons to include; military, Industrial and homebrew;

(I) A knowledge of Nuclear weapons and their heath effects;

(J) A knowledge of the sources and composition of Nuclear weapons to include; military and improvised;

(K) A knowledge of Radiation Dispersal weapons, their heath effects and treatment;

(L) A knowledge of the sources and composition of Radiation Dispersal weapons to include; military, Industrial and homebrew;

(M) A knowledge of the types of radiation, its health effects and protective actions;

(N) A knowledge of the sources radioactive materials to include facilities, transportation and packaging;

(O) A knowledge of the sources and composition of Explosives to include; military industrial and homebrew;

(P) A knowledge of the types of explosive devices to include dispersal devices;

(Q) A knowledge of the types of secondary explosive devices and suicide bomber devices;

(R) A knowledge of atmospheric monitoring equipment and its application to WMD including it's limitations, and method of use;

(S) A knowledge of chemical and biological detection systems;

(T) A knowledge of the detection systems using color change technology to include test papers, badges, the military 256 kit and smart cards;

(U) A knowledge of the available qualitative analysis systems including Gamma Mass Spectrometry, Mass Spectrometry, Infrared and Field Microscopy;

(V) A knowledge of the available systems for field identification of chemical unknowns and their application for WMD;

(W) A knowledge of sampling protocols and methods as they apply to WMD;

(X) A knowledge of evidence collection and preservation as applied to WMD;

(Y) A knowledge of Chemical Protective Clothing Standards and how they apply to WMD;

(Z) A knowledge of Respiratory Protection Standards as they apply to WMD;

(AA) A knowledge of respiratory protection equipment including APR's, SCBA's Umbilical Air, Powered Air Purifying Respirators and Medical PAPR hoods;

(BB) A knowledge of Decontamination systems and procedures as they apply to WMD;

(CC) A knowledge of printed and electronic technical reference sources as applied to WMD;

(DD) An understanding of casualty management as is applies to a WMD incident, including Triage, Antidotes, Push pack, MMRS Teams and Hospital considerations;

(EE) The ability to recognize, identify, and assess the signs, symptoms, characteristics, and indicators that a WMD or a Haz Mat is present or has been released;

(FF) Knowledge of available specials resources, their abilities and how to access them, to include; Weapons of Mass Destruction Civil Support Teams, National Laboratories, MMRSs, and other local resources;

(GG) A knowledge of the State of California FIRESCOPE Standardized Equipment list for Hazardous Materials Response Units for WMD, and understanding of Hazardous Materials Team Typing as established by the State of California, FIRESCOPE Committee;

(HH) An understanding of the Tactical Considerations for the response to a WMD

(II) An understanding of the roles, responsibilities, coordination and capabilities of Haz Mat incident response agencies;

(JJ) An understanding of Rescue Considerations for the response to a WMD;

(3) Required Student Learning Activities

(A) Given a tabletop exercise involving the release of a chemical agent and supporting references provided by the presenter, students will participate individually or in groups in order to demonstrate their understanding of the following:

1. Initial isolation and protective action distances.

2. Proper Chemical Protective Clothing for Entry/Rescue, Decon Teams.

3. Proper Chemical Protective Clothing for Law Enforcement personnel and medical treatment personnel.

4. Proper decontamination methods for responders and victims.

5. Proper antidotes and/or treatment for exposed patients.

6. Proper Atmospheric Monitoring and or detection equipment for use on scene and for downwind monitoring.

(B) Given a tabletop exercise involving the detonation of a Radiation Dispersal Device and supporting references provided by the presenter, students will participate individually or in groups in order to demonstrate their understanding of the following:

1. Initial isolation and protective action distances.

2. Proper Chemical Protective Clothing for Entry/Rescue, Decon Teams.

3. Proper Chemical Protective Clothing for Law Enforcement personnel and medical treatment personnel.

4. Proper decontamination methods for responders and victims.

5. Proper antidotes and/or treatment for exposed patients.

6. Proper Atmospheric Monitoring and or detection equipment for use on scene and for downwind monitoring.

(C) Given Site specific information on a simulated target hazard and criteria provided by the presenter regarding a mock event, the student will identify and or determine the following as the incident builds;

1. Response routes for Emergency responders.

2. Staging areas.

3. Number of possible victims.

4. Location of receiving hospitals.

5. Location of safe Refuge areas.

6. Resources required for response to potential event.

7. Proper Chemical Protective Clothing for Entry/Rescue, Decon Teams.

8. Proper Chemical Protective Clothing for Law Enforcement personnel and medical treatment personnel.

9. Proper decontamination methods for responders and victims.

10 Points of egress for potential victims.

11. Proper Atmospheric Monitoring and or detection equipment for use on scene and for downwind monitoring.

12. Likely points of entry for terrorist.

13. Types of weapons that could be used.

(D) Atmospheric Monitoring and Field identification

1. Use of WMD specific air monitoring and detection Equipment

2. Use of detection systems using color change technology such as badges, papers, military test kits and smart cards

(4) Certification for participants in the Hazardous Materials, Weapons of Mass Destruction Terrorism for the Technician/Specialist Course shall include all of the following:

(A) Successful completion of the certified course, as referenced in Section 2520(ff);

(B) Successful completion of the certified course as delivered by a CSTI certified instructor (as referenced in section 2530(o), and;

(C) Shall include all of the current course material listed in Section 2540(t), and;

(D) Attend a minimum of 16 hours of training.

(E) Complete a 25 Question written exam with at least a 70% correct score.

(gg) Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Awareness and Decontamination for Healthcare

(1) Certified curriculum for Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Awareness and De-

contamination for Healthcare shall include all of the following course objectives:

(A) Student shall define the term "hazardous materials", identify how hazardous materials can harm people, the environment and property: and the role of the First Receiver at the Awareness level in a Healthcare setting using the criteria for the First Responder, Awareness level as set forth in Title 8 California Code of Regulations Section 5192(q)(6)(A).

(B) Student shall recognize a Haz Mat incident through basic clues, warning signs, placards, labels, shipping papers and material safety data sheets: understand need for a positive safety attitude: and describe a safe approach to a Haz Mat incident.

(C) Student shall describe first responder awareness actions, with an understanding of the need for safety, isolation and making required notifications in a hazardous materials incident

(D) Student shall describe the procedure for initiating Directed Self Decontamination for ambulatory victims.

(2) Certified curriculum for Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Awareness and Decontamination for Healthcare shall be a minimum of 4 hours in length and shall include all of the course material listed in Section 2540 (t).

(3) Certified curriculum for Hazardous Materials/ Weapons of Mass Destruction, First Receiver Awareness and Decontamination for Healthcare shall include the following training exercise:

(A) Demonstration of Directed Self Decontamination

(4) Certified curriculum for Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Awareness and Decontamination for Healthcare shall include the following evaluation method:

(A) Completion of a CSTI certified Hazardous Materials/ Weapons of Mass Destruction, First Receiver Awareness and Decontamination for Healthcare written exam with a minimum passing score of 70% correct.

(5) Certification for participants in the Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Awareness and Decontamination for Healthcare Course shall include successful completion of a certified course as referenced by Section 2520(gg) as delivered by a CSTI certified instructor as referenced in Section 2530(p). Student shall meet a minimum attendance of 4 hours, accomplish all objectives, participate in the training exercise and complete the evaluation method at the 70% standard as referenced in Section 2540(e)

NOTE: Authority cited: Section 8574.20(a), Government Code. Reference: Section 8574.20(b), Government Code.

HISTORY

1. New section filed 7–8–91; operative 8–7–91 (Register 91, No 46).
2. Amendment filed 5–12–94; operative 6–13–94 (Register 94, No. 19).
3. Editorial correction (Register 96, No. 52).
4. Amendment of section and NOTE filed 12–23–96; operative 1–22–97 (Register 96, No. 52).
5. Amendment filed 10–15–98; operative 11–14–98 (Register 98, No. 42).
6. New subsections (y)–(z)(5) filed 2–8–2000; operative 3–9–2000 (Register 2000, No. 6).
7. Amendment of section and NOTE filed 4–25–2003; operative 5–25–2003 (Register 2003, No. 17).
8. Editorial correction of placement of subsections (n)(1)(EE)(i)–(x) (Register 2003, No. 23).
9. Amendment filed 12–18–2007; operative 1–17–2008 (Register 2007, No. 51).

§ 19–2530. Instructor Certification Requirements.

(a) To become a California State Certified Hazardous Materials Instructor for Haz Mat First Responder Awareness/Operations, Haz Mat Incident Commander, Haz Mat Executive Management, Haz Mat Investigations, Haz Mat Environmental Monitoring, or Haz Mat Incidents at Ports, or Haz Mat Emergency Response Incident Commander—Nuclear, Biological and Chemical Agents and Haz Mat Emergency Response First Responder Operations—Nuclear, Biological and Chemical Agents courses, the applicant shall complete all of the following requirements:

(1) Submission of CSTI Application Form, as referenced in Section 2550(a)(11), to the Office of Emergency Services, California Specialized Training Institute; and

(2) Agreement to adhere to the policies, procedures and administrative requirements for delivering, documenting, and certifying the California Hazardous Substances Incident Response Training and Education Program as contained in title 2 of the California Government Code, division 1, chapter 7, sections 8574.19–8574.21 and title 19 of the California Code of Regulations, chapter 1, subchapter 2, sections 2510–2560; and

(3) Successful completion of the certified course(s), as referenced in section 2520(a)–(g) or (y)–(aa) in which the applicant is seeking instructor certification or take a 8 hour CSTI "specialized" train the trainer condensed course on courses listed under section 2520; and

(4) Submission of a resume and supporting documentation describing a minimum of 2 years work experience in hazardous materials response, training, production, investigations, monitoring, or research, or a combination of any six, at the level in which the applicant is seeking instructor certification, as referenced in section 2520(a)–(g) or (y)–(z); and

(5) Successful completion of either (A) or (B):

(A) Hazardous Materials Instructor Certification Course as referenced in section 2520(h); or

(B) Hazardous Materials Instructor Certification For Trainers Course as referenced in section 2520(i); and

(i) California State Fire Marshal Instructor IA and IB Course; or

(ii) University of California or California State University Techniques of Teaching Course; or

(iii) Four semester units of upper division credit in educational materials, methods, or curriculum development from an accredited college, university, community college, or institute; or

(iv) Instructor Certification Course or Teaching Credential from an accredited college, university, community college, or training institute; or

(v) Instructor Certification Course from a nonprofit organization or public agency.

(vi) A letter from the applicant's immediate supervisor or training officer verifying the applicant's competence as a hazardous materials trainer as per 29 CFR 1910.120 Appendix E (revised September 21, 1994).

(b) To become a California State Certified Hazardous Materials Technician/Specialist 1B, 1C, 1D, 1F, 1G, Hazardous Waste General Site Worker or Hazardous Materials Emergency Response Technician—Private Industry Instructor, the applicant shall complete all of the following requirements:

(1) Submission of CSTI Application Form, as referenced in Section 2550(a)(11), to the Office of Emergency Services, California Specialized Training Institute; and

(2) Agreement to adhere to the policies, procedures and administrative requirements for delivering, documenting, and certifying the California Hazardous Substances Incident Response Training and Education Program as contained in Title 2 of the California Government Code, Division 1, Chapter 7, Sections 8574.19–8574.21 and Title 19 of the California Code of Regulations, Chapter 1, Subchapter 2, Sections 2510–2560; and

(3) Successful completion of the certified course(s), as referenced in Section 2520(k)–(q), (s) and (t) in which the applicant is seeking instructor certification; and

(4) Submission of a resume and supporting documentation, including written verification from applicant's department head or designee, describing a minimum of 80 hours of teaching experience and a minimum of 3 years work experience in hazardous materials response, training, production, research, investigations or monitoring, or a combination of any six, relating to the subject area in which the applicant is seeking instructor certification, as referenced in Section 2520(k)–(q), (s) and (t). (To become certified to instruct the Hazardous Waste General Site Worker Course, an applicant's 3 years of work experience must be in the field of hazardous waste operations.); and

(5) Successful completion of either one of the following:

(A) Hazardous Materials Instructor Certification Course as referenced in Section 2520(h); or

(B) Hazardous Materials Instructor Certification For Trainers Course as referenced in Section 2520(i); and,

(c) To become a California State Certified Hazardous Materials Technician/Specialist 1A Instructor, the applicant shall complete all of the following requirements:

(1) All of the requirements specified in Section 2530(b); and

(2) Submission of a photocopy, employer verification or valid supporting documentation for the following:

(A) Bachelor of Science, or Masters of Science or doctoral degree in a physical or life science that included at least two upper division semester (or equivalent quarters) courses in chemistry; or

(B) Two upper division semester (or equivalent quarters) courses in college chemistry with a passing grade of "C" or better; and,

(C) Submission of a resume and supporting documentation, including written verification from applicant's department head or designee, describing a minimum of 80 hours of teaching experience and a minimum of three years of work experience in chemistry training, chemical production or chemical research, or a combination thereof.

(d) To become a California State Certified Hazardous Materials First Responder Operations – Decontamination Instructor, the applicant shall complete all of the following requirements:

(1) All of the requirements specified in Section 2530 (a); and

(2) Complete the Hazardous Materials Emergency Response First Responder Operations Level course, as specified in Section 2520(b); and

(3) Complete the Hazardous Materials Emergency Response First Responder Operations – Decontamination Course Course, as specified in Section 2520 (x).

(e) To become certified to teach a Hazardous Materials Refresher Course, the applicant shall complete all of the following requirements:

(1) To instruct refresher classes based on the courses specified in Section 2530 (a), the applicant shall complete:

(A) All of the requirements specified in Section 2530 (a);

(2) To instruct refresher classes based on the courses specified in Section 2530 (b), the applicant shall complete;

(A) All of the requirements specified in Section 2530 (b);

(3) To instruct refresher classes based on the courses specified in Section 2530 (c), the applicant shall complete;

(A) All of the requirements specified in Section 2530 (c).

(f) To become a California State Certified Hazardous Materials Emergency Medical Response to Hazardous Materials Incidents: A Guide for First Responders Instructor, the applicant shall complete the following requirements:

(1) All of the requirements specified in Section 2530 (a); and

(2) Complete the Hazardous Materials Emergency Medical Response to Hazardous Materials Incidents: A Guide for First Responders course, as specified in Section 2520 (v).

(3) If applicant will be the sole instructor: Submission of a photocopy, employer verification or valid supporting documentation for the following:

(A) Current certification as an EMT–P, at least two years of response experience as an EMT–P, or previously certified EMT–P with at least five (5) years field experience as an EMT–P, completion of First Responder Operations Level training and completion of the First Responder Operations – Decontamination Course as specified in Section 2520 (b) and (x); or

(B) Current certification as an EMT–II, at least two years of response experience as an EMT–II and certification as a Hazardous Materials Technician as specified in Section 2540 (o); or

(C) Current certification as an EMT–I, at least two years of response experience as an EMT–I, at least a Bachelor of Science degree in health sciences and certification as a Hazardous Materials Technician or Specialist as specified in Section 2540 (o);

(5) If applicant will not be the sole instructor: Submission of a photocopy, employer verification or valid supporting documentation for the following: (Applicants certified under this paragraph shall not instruct the sections of the class involving paragraphs (1)(H)–(J) of Section 2520 (v)).

(A) Completion of First Responder Operational Level training as specified in Section 2520 (b) and at least two years of experience in emergency response.

(g) To become a California State Certified Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Operations and Decontamination for Health Care Instructor, the applicant shall complete the following requirements:

(1) All of the requirements specified in Section 2530 (a); and

(2) Complete the Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Operations and Decontamination for Health Care course, as specified in Section 2520 (w); and be certified as a Hazardous Materials Technician or have three years experience in a Health and Safety position in a Healthcare environment, or equivalent, or be currently licensed as a Registered Nurse, Physician Assistant, or Medical Doctor certified to the First Responder Operations/Decontamination level as specified in Section 2520(b) and 2520 (x).

(h) To become a California State Certified Hazardous Materials Investigations Instructor, the applicant shall complete the following requirements:

(1) All of the requirements specified in Section 2530 (a); and

(2) Complete the Hazardous Materials Investigations course, as specified in Section 2520 (e); and

(3) Provide evidence of current membership (or membership within the last five years) in an Environmental Crimes Investigations Task Force or Unit, and two years of work experience in environmental crimes investigations; and

(4) Provide evidence of specialized expertise in law enforcement and/or fire operations, environmental health and/or crimes investigations, or criminal justice system procedures and protocols.

(i) To become a California State Certified Hazardous Materials Emergency Response Advanced Environmental Crimes Instructor, the applicant shall complete the following requirements:

(1) All of the requirements specified in Section 2530 (a) and (g); and

(2) Complete the Hazardous Materials Emergency Response – Principles of Environmental Crimes Investigations course, as specified in Section 2520 (e); and

(3) Complete the Hazardous Materials Emergency Response – Advanced Environmental Crimes Investigations course, as specified in Section 2520(u); and

(4) Provide evidence of current membership (or membership within the last five years) in an Environmental Crimes Investigations Task Force or Unit, and;

(5) Provide evidence of four years of work experience in environmental crimes investigations.

(j) To become a California State Certified Hazardous Materials Clandestine Methamphetamine Laboratory First Responder Awareness Course Instructor, the applicant shall complete the following requirements:

(1) All of the requirements specified in Section 2530(a); and

(2) Complete the First Responder Awareness Course, as specified in Section 2520 (a); and

(3) Complete the Clandestine Methamphetamine Laboratory First Responder Awareness Course, as specified in Section 2520(aa); and

(4) Provide evidence of specialized expertise in the chemical and physical hazards associated with the clandestine production of methamphetamine.

(k) To become a California State Certified Hazardous Materials Clandestine Methamphetamine Laboratory First Responder Operations Course Instructor, the applicant shall complete the following requirements:

(1) All of the requirements specified in Section 2530 (a); and

(2) Complete the First Responder Operations Course, as specified in Section 2520 (b); and

(3) Complete the Clandestine Methamphetamine Laboratory First Responder Operations Course, as specified in Section 2520 (bb); and

(4) Provide evidence of specialized expertise in the chemical and physical hazards associated with the clandestine production of methamphetamine.

(*l*) To become a California State Certified Hazardous Materials/Weapons of Mass Destruction, First Responder Operations, Law Enforcement Field Support Course Instructor, the applicant shall complete the following requirements:

(1) All of the requirements specified in Sections 2530 (a) and,

(2) Complete the Hazardous Materials/Weapons of Mass Destruction, First Responder Operations, Law Enforcement Field Support course, as specified in Section 2520 (ee) and,

(3) Hold credentials as a sworn law enforcement officer and/or hold current certification in one of the following:

(A) Hazardous Materials Technician (as defined in Title 19 CCR 2540 (o), or

(B) Hazardous Materials First Responder Operations (as defined in Title 19 CCR 2520 (b)).

(4) Certified Instructors who teach the following course curriculum must be a sworn law enforcement officer:

(A) Title 19 section 2520 (ee)(M): and/or

(B) Title 19 section 2520 (ee)(3)(B) and (F)

(m) To become a California State Certified "Hazardous Materials – Mass Casualty Decontamination Instructor", the applicant shall complete the following requirements:

(1) All of the requirements specified in section 2530 (a); and

(2) Hold current certification as a Hazardous Materials Technician or Specialist, as defined by section 2540 (o).

(n) To become a California State Certified Hazardous Materials Weapons of Mass Destruction Assistant Safety Officer Instructor, the applicant shall complete all of the following requirements:

(1) Complete all the requirements of Title 19 CCR 2530(a)(1) and (2); and,

(2) Complete the certified course, as referenced in Section 2520(r); and,

(3) Hold certification to the Hazardous Materials Specialist level (as defined by Title 19 CCR 2540(o) and as a Certified CSTI Outreach Instructor in Hazardous Materials Specialist as defined in Section 2530 (b); and,

(4) Provide a resume and supporting documentation, including written verification from applicant's department head or designee, describing a minimum of 80 hours of teaching experience and a minimum of 3 years work experience on a hazardous materials response team.

(o) To become a California State Certified Hazardous Materials Weapons of Mass Destruction Terrorism for the Technician/ Specialist Course, the applicant shall complete all of the following requirements:

(1) Complete all the requirements of 19 CCR 2530(a)(1) and (2); and,

(2) Successful completion of the certified course, as referenced in Section 2520 (ff); and,

(3) Hold certification to the Hazardous Materials Technician or Specialist level (as defined by Title 19 CCR 2540(o) and as a Certified CSTI Outreach Instructor in Hazardous Materials Technician or Specialist as defined in Section 2530(b); and,

(4) Submission of a resume and supporting documentation, including written verification from applicant's department head or designee, describing a minimum of 80 hours of teaching experience and a minimum of 3 years work experience on a hazardous materials response team.

(p) To become a California State Certified Hazardous Materials Emergency Response, First Receiver Awareness and Decontamination for Health Care Instructor, the applicant shall complete the following requirements:

(1) All of the requirements specified in Section 2530(a): and

(2) Complete the Hazardous Materials Emergency Response, First Receiver Awareness and Decontamination for Health Care course, as specified in Section 2520(gg); and be certified as a Hazardous Materials Technician/Specialist or have a minimum of 3 years experience in a Health and Safety position in a Health Care environment, or equivalent, or be currently licensed as a Registered Nurse, Physician Assistant, or Medical Doctor certified to the level of First Receiver Operations and Decontamination for Health Care level as specified in Section 2520(w).

(q) Reserved for future use.

NOTE: Authority cited: Section 8574.20(a), Government Code. Reference: Section 8574.20(b), Government Code.

HISTORY

1. New section filed 7–8–91; operative 8–7–91 (Register 91, No. 46).
2. Amendment of subsections (a)–(a)(2), (4) and (5)(B)(iv) and new subsections (a)(5)(B)(v)–(c)(2)(B) filed 5–12–94; operative 6–13–94 (Register 94, No. 19).
3. Amendment of section and NOTE filed 12–23–96; operative 1–22–97 (Register 96, No. 52).
4. Amendment filed 10–15–98; operative 11–14–98 (Register 98, No. 42).
5. Amendment of subsections (a) and (a)(3)–(4) filed 2–8–2000; operative 3–9–2000 (Register 2000, No. 6).
6. Amendment of section and NOTE filed 4–25–2003; operative 5–25–2003 (Register 2003, No. 17).
7. Amendment of subsections (g) and (g)(2) and new subsections (*l*)–(*l*)(4)(B) and (n)–(q) filed 12–18–2007; operative 1–17–2008 (Register 2007, No. 51).

§ 19–2540. Administrative Procedures.

(a) Course Manager.

(1) A Course Manager is a California Certified Hazardous Materials Instructor responsible for monitoring, coordinating, and teaching at least 20% of the certified course, as referenced in section 2520.

(2) A Course Manager shall ensure that all instructors (both State certified and noncertified) that teach in a certified course adhere to all requirements designated in Sections 2520 and 2540 as specified for the course being taught.

(3) A Course Manager is responsible for completing, signing, and submitting all required administrative forms as designated in section 2540(c).

(4) A Course Manager is responsible for requesting, signing, paying for and distributing course certificates to students who successfully complete the course as designated in section 2520.

(b) Noncertified Instructors.

(1) A Noncertified Instructor is any instructor who has not received State Certification as referenced in section 2530.

(2) Noncertified Instructors are permitted to teach in certified courses, as referenced in section 2520, only under the supervision of a Course Manager.

(3) Noncertified Instructors, who teach in certified courses, are required to adhere to all requirements designated in Sections 2520 and 2540 for the course being taught.

(c) Course Notification and Certification

(1) All Course Managers who request State certification for any of the courses referenced in section 2520 shall complete and submit a Training Course Notification Form (HM 100), as designated in section 2550, to the California Specialized Training Institute Hazardous Materials Section no later than six weeks prior to the start of the course in which certification is being requested. If there are any changes in class location, date or time, the Course Manager is required to submit those changes to the CSTI Hazardous Materials Section within 48 hours that the change or changes were made. If any of the changes described above occur within 48 hours of the course's start time, then the Course Manager is required to notify the CSTI Hazardous Materials Section immediately by telephone.

(2) Course Managers are not permitted to request State certification for Haz Mat Specialist (1F) or (1G) courses, as referenced in Section 2520(p)–(q), until a Field Training Facility for use in said courses has been inspected, approved, and certified according to the procedures established in Section 2560(b).

(3) All Course Managers who request State certification for any of the courses referenced in section 2520 shall complete, sign and submit all of the following administrative forms, as designated in section 2550, to the California Specialized Training Institute Hazardous Materials section no

later than six weeks following the last day of the course in which certification is being requested:

(A) Course Roster Form (HM 150);

(B) Student Course Evaluation Forms (HM 140), one per student; and

(C) Class Schedule Form (HM 130).

(4) Completion of the Course Manager Course Evaluation Form (HM 160) is optional.

(5) When a Course Manager completes, signs, and submits the required administrative forms designated in section 2540, he or she is certifying that he/she taught the course according to all of the requirements designated in Sections 2520, 2530 and 2540 for the course being certified and that he/she used the current course curriculum specified in Section 2540(t).

(6) All courses shall be completed, including submission of all forms as designated in Section 2540(c)(3) and payment of all certificate fees and course material costs, to the California Specialized Training Institute within one year of course start date or the course will be considered null and void, unless said course has been granted an extension by the Chief of the Hazardous Materials Section per Section 2540(j)(2). Null and void courses are not eligible for certification.

(d) Certified Course Curriculum

(1) Course Managers shall not delete any material from a certified curriculum as referenced in section 2520.

(2) This section does not prohibit Course Managers from adding material which exceeds the minimum requirements established for course curriculum in Section 2520 under the condition that said additions do not contradict established State standards and recognized procedures pursuant to this code.

(3) Course Managers shall ensure that all students receive a copy of the appropriate student notebook, as referenced in Section 2520 and 2540(t), for students to retain for the duration of the class.

(4) Course Managers shall ensure that certified classes include all of the requirements specified in the applicable portion of Section 2520.

(5) Course Managers will ensure that courses requiring hands–on or practical application of skills, have sufficient supplies and equipment. Sufficient supplies means that there are enough tools, monitors, suits and other items to allow each student to meet the performance objectives within the course timeframe.

(A) Course Managers will ensure that there is sufficient equipment present at any given class to meet the student to equipment ratio required by the objectives found in section 2520.

(B) Student to Instructor/Equipment/etc. Ratios are used to assure students receive an adequate level of experiential learning. Course Managers may use break–outs or sectional training to reduce the required numbers of equipment (thereby reducing costs without sacrificing instructional quality).

(i) Example: The course: Technician C – Week, requires 1 computer for each 3 students. Given a class of 30 students, ten computers would be required, unless this practical application session were broken into three groups or break–outs. Each group having 10 students and one instructor. One group does air monitoring, one group does technical reference and one group uses the computers. In the case of the computer group, with only 10 students, only 3 computers are needed.

(e) Certified Course Exams

(1) Certified written exams for the courses referenced in section 2520 shall only be developed and revised by the California Specialized Training Institute Hazardous Materials section.

(2) Certified written exams shall only be administered, corrected, and scored by a California State Certified Hazardous Materials Instructor as referenced in section 2530.

(3) No California State Certified Instructor or instructor/staff working with a Certified Instructor is permitted to reveal to any student any direct and verbatim answers derived directly from any certified exam prior to or during the administration of said exam.

(4) No California State Certified Instructor or instructor/staff working with a Certified Instructor is permitted to reveal to any student any direct and verbatim questions derived directly from any certified exam prior to the administration of said exam.

(5) All California State Certified Instructors shall use the most current revision of the certified written exam available from the California Specialized Training Institute at the time of administration of said exam.

(6) A student who fails to pass an exam on the first attempt may be permitted to retake the exam once, if either of the following cases occur:

(A) If, in the opinion of the certified instructor who administered the exam, it appears that the student failed the exam because of difficulty with the English language. In such a case, the certified instructor may give the exam orally to the student.

(B) If, in the opinion of the certified instructor who administered the exam, it appears that the student failed the exam because of lack of knowledge of course material, then the instructor may, at his or her discretion, retrain the student. In such a case, a certified instructor is required to administer the most current alternate version of the written exam, which the student has not taken. The alternate version of the exam shall be taken within 30 calendar days from the date that the student's first exam was administered.

(7) Any student who fails to pass an exam twice shall be required to retake the entire course in which the student seeks certification.

(8) Any student found to be cheating by a certified instructor during the administration of a certified exam shall not be permitted to pass the said exam. "Cheating" consists of, but is not limited to, acts by students such as consulting the Student Notebook, notes, Instructor Guide or other reference materials during the administration of a certified exam. Exceptions include item 14 below and the use of wall–mounted "Periodic Table of the Elements" as required in 2520(k)(2).

(9) Any student not permitted to pass a certified exam because of alleged cheating or any student who failed an exam and seeks to contest any exam questions, may appear in person, within 60 days of said exam, before the California Specialized Training Institute Hazardous Materials Section Chief or his/her representative to request to retake an alternative exam. The Hazardous Materials Section Chief or his/her representative shall approve or deny the request based on evidence presented during the said interview with the student and a follow–up interview with the certified instructor(s) involved.

(10) Students are not permitted to retain or copy any certified exam. Course Managers must adequately ensure that all certified exams distributed during administration of said exam are returned and accounted for.

(11) Course Managers are required to retain all student answer sheets on which students marked answers for a minimum of 5 years after date exam was administered. If requested at any time during the five year retention period, the original answer sheets shall be forwarded by the Course Manager to the California Specialized Training Institute Hazardous Materials Section Chief within 10 days.

(12) The maximum time allowed for students to complete a certified written exam may be specified on said exam. If no time limit is specified, it shall be designated as a maximum of one minute per question (i.e. A 20–question exam shall have a time limit of 20 minutes, unless otherwise specified on said exam). The Course Manager shall inform the students of the specified or designated maximum time limit for said written exam prior to its distribution to students.

(13) All certified course exams, unless otherwise specified on the cover of the exam, shall be a "closed student notebook/workbook" exam.

(14) The use of the current ERG is allowed on the following CSTI certified exams: First Responder Awareness, 2520(a), First Responder Operations, 2520(b) and Incident Commander, 2520 (c).

(f) Quality Control/Audit Process

(1) Any course taught by a California State Certified Hazardous Materials Instructor, in which he or she has requested to receive State certification, is subject to unannounced field audits conducted by a faculty member of the California Specialized Training Institute Hazardous Materials Section or any Office of Emergency Services employee or authorized representative designated by the Chief of the California Specialized

Training Institute Hazardous Materials Section. Field audits may consist of any of the following:

(A) Routine audits designed to determine if instructors are meeting the requirements established in Sections 2520 and 2540 for the course in which certification is being requested.

(B) Special audits investigating complaints of an instructor's misconduct or unprofessional conduct.

(C) Follow–up audits designed to ensure an instructor's compliance with required course changes and corrections of identified deficiencies.

(2) Any course taught by a California State Certified Hazardous Materials Instructor, in which he or she has requested to receive State certification, is subject to mail or telephone audits conducted by a faculty member of the California Specialized Training Institute Hazardous Materials Section or any Office of Emergency Services employee or authorized representative designated by the Chief of the California Specialized Training Institute Hazardous Materials Section. Mail and telephone audits may consist of any of the following:

(A) Survey of student reactions/evaluations of presentations by an instructor(s) and course content of any certified course.

(B) Required submission to the California Specialized Training Institute of all instructors' lesson plans/guides, student notebooks, handouts, and any other written materials used in any certified course.

(3) The auditor shall complete a Course Audit Report (HM 180), as designated in section 2550, for each course audited and provide the California Specialized Training Institute Hazardous Materials Section Chief with a copy of said report for approval within 10 working days following completion of the audit. Upon receiving approval from the Section Chief, the Course Audit Report shall be forwarded to the Course Manager and/or Instructor within 10 working days of approval.

(4) If any deficiencies were identified in the audit, the auditor shall provide a written summary of deficiencies and recommendations for correcting the identified deficiencies to the California Specialized Training Institute Hazardous Materials Section Chief for approval within 10 working days following completion of the audit. Upon receiving approval from the Section Chief, the written summary of deficiencies and recommendations for correcting the identified deficiencies shall be forwarded to the Course Manager and/or Instructor within 10 working days of approval.

(A) If the deficiencies are major or willful violations of these regulations and the CSTI Hazardous Materials Section Chief determines that they cannot reasonably be rectified through remedial training, then he/she shall immediately recommend decertification of the instructor as specified in Section 2540(g)(4) of these regulations. Major violations include, but are not limited to, the following:

(i) Failure to teach a class as specified in the applicable portion of Section 2520.

(ii) Failure to cover all of the course objectives as specified in the applicable portion of Section 2520.

(iii) Failure to teach a class meeting the requirement for minimum hours as specified in the applicable portion of Section 2520.

(iv) Failure to use the curriculum material specified in the applicable portion of Section 2520 and Section 2540(t).

(v) Violation of Section 2540(e)(3)–(5).

(vi) Failure to follow the safety policy as specified in Section 2540(k)(1) and 2540(k)(3)–(5).

(vii) Failure to follow the "Professional Conduct" policy as specified in Section 2540(i).

(viii) Repeated or willful failure to follow administrative procedures as specified in Section 2540 after having been notified in writing of prior failure to follow those administrative procedures.

(5) A Course Manager and/or Instructor, who coordinated and/or taught a course that had been identified as being deficient, shall correct all identified deficiencies prior to coordinating or teaching in another certified course.

(6) Students who have attended a course that had been identified as being deficient shall not be issued certificates until said students have received remedial training in the areas identified as deficient. If the course was identified as being deficient after students have received certificates, the said students shall be notified by CSTI that their certificates are null and void until they receive remedial training in the areas identified as deficient.

(7) A follow–up audit, reported on a form HM 180 as designated in section 2550, shall be conducted by a faculty member of the California Specialized Training Institute Hazardous Materials Section or any Office of Emergency Services employee or consultant designated by the Chief of the California Specialized Training Institute Hazardous Materials Section to ensure that deficiencies have been corrected.

(8) Follow–up audit reports shall be submitted to the California Specialized Training Institute Hazardous Materials Section Chief within 10 working days following completion of the follow–up audit.

(9) The Course Manager is responsible for ensuring that any auditor(s) conducting an audit of said Course Manager's course, in accordance to the procedures established in Section 2540(f), is permitted free and unhindered access to any course requesting State certification. If the Course Manager fails to provide said auditor(s) with free and unhindered access to said course, then said course may not receive State certification.

(g) Instructor Decertification

(1) A Certified Instructor can be decertified for failure to adhere to the policies, procedures or administrative requirements for delivering, documenting, or certifying a course through the California Hazardous Substances Incident Response Training and Education Program contained in Title 2 of the California Government Code, Division 1, Chapter 7, Sections 8574.19–8574.21 and Title 19 of the California Code of Regulations, Chapter 1, Subchapter 2, Sections 2510–2560.

(2) A Certified Instructor can be decertified for failure to correct all deficiencies identified in an audit as referenced in Section 2540(f).

(3) A Certified Instructor can be decertified for failure to teach a minimum of four hours of instruction in any certified course, or any course using certified curriculum, as referenced in Section 2520, during a calendar year. The calendar year in which an instructor received State Certification is exempt from the four–hour requirement. A Certified Instructor who wants credit for teaching hours only, must ensure that the Course Manager, of the course in which the Certified Instructor taught, includes his/her name and hours to be credited on Class Schedule Form (HM 130) that is submitted to the California Specialized Training Institute. If a Certified Instructor wants to notify CSTI of a course that he/she is teaching and does not want certification for the course, but wants credit for teaching hours only, then the Certified Instructor shall submit a Training Course Notification Form (HM 100) and a Class Schedule Form (HM 130) to CSTI.

(4) The CSTI Hazardous Materials Section Chief shall recommend decertification of an instructor to the Director of CSTI. The final decision to decertify an instructor is determined by the Director of the California Specialized Training Institute within 45 calendar days of the recommendation from the CSTI Hazardous Materials Section Chief.

(5) If the CSTI Hazardous Materials Section Chief recommends decertification of an instructor to the Director of CSTI, then the Section Chief shall, at the same time, cause the instructor being recommended for decertification to be notified by written correspondence outlining the reason(s) for his/her pending decertification. The instructor being recommended for decertification shall be given 30 calendar days (from the date the notification was mailed) to respond in writing to the Director of CSTI for consideration in retaining his/her certification. The Director of CSTI shall review any written correspondence received within the 30–day notification period described above prior to decertifying an instructor.

(6) During the 30–day notification period, designated in Section 2540(g)(5), the instructor pending decertification shall be permitted to appear before the CSTI Hazardous Materials Section Chief and/or the

CSTI Hazardous Material Section Instructor Certification Program Coordinator for the purpose of requesting to retain his/her instructor certification. The instructor pending decertification shall be permitted, at the time of appearance, to present any evidence that would assist in a fair and impartial decision regarding the pending decertification. The CSTI Hazardous Materials Section Chief and/or the CSTI Hazardous Material Section Instructor Certification Program Coordinator shall prepare a written summary of the findings of the interview with the instructor pending decertification, including a recommendation to either maintain or withdraw the decertification request, within 10 days following the interview, to the Director of CSTI. The Director of CSTI shall review any written summary of an interview with an instructor pending decertification prepared by the CSTI Hazardous Materials Section Chief and/or the CSTI Hazardous Material Section Instructor Certification Program Coordinator prior to decertifying an instructor.

(7) Any instructor who has been notified that he/she is pending decertification, shall be designated as "under suspension" and shall not be permitted to manage, teach or assist in any course requesting State certification. An instructor suspension period shall not exceed 90 days.

(8) An instructor who has been decertified in accordance with Section 2540(g)(1) or (2) shall not be permitted to manage, assist, or teach in any course requesting State certification.

(h) Instructor Recertification

(1) An instructor who was decertified in accordance with Section 2540(g)(3) can be recertified by either of the following methods:

(A) Successful completion of the Hazardous Materials Instructor Recertification Course as referenced in Section 2520(j); or

(B) Successful recompletion of the Hazardous Materials Instructor Certification for Trainers Course as referenced in Section 2520(i).

(2) An instructor who was decertified in accordance with Section 2540(g)(1) or 2540(g)(2) is not eligible for recertification.

(i) Professional Conduct

(1) All instructors teaching, coordinating, or monitoring a hazardous materials course as referenced in Section 2520 shall adhere to all of the following professional codes of conduct:

(A) Refrain from making sexist, racist, or obscene remarks during a certified course.

(B) Utilize class time for enhancing the learning of students and not for personal motives unrelated to teaching.

(C) Provide complete and accurate information to the Office of Emergency Services when requested to do so pursuant to Sections 2510–2560.

(D) Teach only subjects in which the instructor is qualified based on training and experience.

(E) Provide an honest and accurate representation of instructor's educational background and work experience to students as it relates to the course of instruction.

(F) Provide an honest and accurate representation of instructor's employment status and instructor relationship with the State.

(2) Any certified instructor who changes his/her address or phone number shall notify CSTI Hazardous Materials Section of said change within 30 days of change.

(j) Class Size, Duration, and Attendance

(1) For any certified course referenced in Section 2520, the Course Manager shall ensure that the Student–to–Instructor ratio does not exceed 50–to–1 for classroom instruction and 15–to–1 for field/exercise instruction.

(2) No single certified course, as referenced in Section 2520, can be taught over any period exceeding 12 consecutive months without consent from the Chief of the Hazardous Materials Section of the California Specialized Training Institute.

(3) The Course Manager is required to document and verify student attendance on a daily basis. Verification of student attendance is subject to audit. Course Managers should retain such records for a period of not less than five years.

(4) 40 hour class policy. A 40 hour course may be presented in less than 40 hours, however, no less than 36 hours under the following circumstances:

(A) The course coordinator certifies that all practical and learning objectives have been met and completed: and,

(B) The course coordinator certifies that all participants in the course meet the same competency requirements as those taking the full 40 hour course: and,

(C) In situations where a 40 hour class is being presented and the number of students is low or the skill level is very high or other situations as deemed appropriate by the Course Coordinator, the minimum required attendance and certification hours can be changed to as low as 36 hours: and,

(D) The 40 hour duration is not required by any other agency; e.g., the 40 hour Site Worker course cannot be presented in 36 hours due to the OSHA mandate in Title 8 CCR 5192 (e) requiring 40 hours.

(k) Safety Policy

(1) All Course Managers, certified and noncertified instructors who are conducting or participating in any State certified hazardous materials course, as referenced in Section 2520, shall adhere to all of the following safety procedures:

(A) The Course Manager shall provide advanced notice to prospective trainees regarding any anticipated physical demands and/or physical performance expectations; examples include an obstacle course, heavy lifting, and high heat and cold environments and will ensure each student complete and turn in the CSTI Statement of Physical or Medical Qualification Form (HM 280 (rev. 9/04) or HM 280C (rev. 9/06) which are incorporated by reference) to the course manager;

(B) The Course Manager shall provide all instructors participating in their course with a copy, or post a copy at training locations and notify instructors, of this safety policy;

(C) The Course Manager shall ensure that emergency communications (telephone or radio) are accessible at all training locations;

(D) The Course Manager shall ensure for chemical and outdoor practical "hands on" training/exercises that at least one member of the training staff or class, either directly involved in the training event or immediately (within 3 minutes) available at the training location, shall be certified as an EMT–1 or greater. Local EMS may be utilized it they meet response time criteria.

(E) The Course Manager shall ensure that student emergency notification information, including name and phone number of student's emergency contact, be maintained and easily accessible for the duration of training;

(F) The Course Manager shall ensure that all instructors participating in the training event are provided with the location and phone number of the nearest medical facility or are provided communication access to the Emergency Medical System (911). Additionally, this information shall be conspicuously posted at all training sites;

(G) The Course Manager shall be responsible for appointing a Safety Officer from staff or students for chemical and outdoor practical hands–on exercises and conducting a safety inspection of all training locations prior to student arrival, reasonably ensuring that no unsafe conditions exist;

(H) The Course Manager shall be aware of environmental factors such as weather or air quality prior to any outdoor instruction, and shall adjust instruction as necessary; to insure student safety;

(I) The Course Manager shall verbally review specific safety rules with all students and ensure that specific safety rules are conspicuously posted;

(J) The Course Manager shall advise students of their responsibility to stop and report any unsafe action during training immediately upon discovery;

(K) The Course Manager and all instructors participating in training shall display an attitude of safety and professional demeanor at all times; and

(L) All instructors shall adhere to this safety policy, and all other specific site safety procedures pertaining to equipment, facilities, and manipulative skills as deemed appropriate by the Course Manager.

(2) All students who are participating in any State certified hazardous materials course, as referenced in Section 2520, shall adhere to all of the following safety procedures:

(A) Students shall notify the Course Manager prior to class of any existing medical condition or illness which may create a safety hazard, health risk, be aggravated or affect performance during training;

(B) In training that requires students to wear an encapsulated suit and/or a self–contained breathing apparatus (SCBA) and/or an Air Purifying Respirator (APR) and/or an Powered Air Purifying Respirator (PAPR), students shall submit written documentation: CSTI Statement of Physical or Medical Qualification Form (HM 280 or HM 280C), to the Course Manager prior to class.

(C) All students shall be required to provide evidence of medical or physical fitness for training, if the Course Manager questions their ability to perform safely students may be required to show additional proof of fitness:

(D) Students shall immediately notify a member of the training staff of any injury, however slight, sustained during training;

(E) Students shall be responsible for stopping and reporting any unsafe action during training immediately upon discovery; and

(F) Students shall adhere to this safety policy, and all other specific site safety procedures pertaining to equipment, facilities, and manipulative skills as deemed appropriate by the Course Manager.

(3) All Course Managers, certified and noncertified instructors, and students who are conducting or participating in any State certified hazardous materials course, as referenced in Section 2520, shall adhere to the following Response–To–Injury procedures:

(A) In the event of an injury, the following actions shall be taken:

(i) Obtain appropriate medical assistance. In all cases where a student loses consciousness, an evaluation shall be sought from a medical doctor before the student is allowed to return to training;

(ii) Render first aid as necessary by the designated EMT–I, EMT–P, staff members, students trained in first aid, or local EMS System

(iii) Immediate notification (24 hours) by the Course Manager to the CSTI Hazardous Materials Section Chief, using the CSTI Injury and Accident Form (HM 290 (rev. 3/04) incorporated by reference), shall be made if any serious/major injury, life–threatening injury or illness, or death is sustained by a student or instructor during training;

(iv) Notification of lesser injuries not requiring treatment beyond first aid (e.g., minor lacerations, abrasions, strains, etc.) shall be made by the Course Manager using the CSTI Injury and Accident Form (HM 290 within 10 working days of the injury, to the CSTI Hazardous Materials Section Chief.

(v) Students who sustain any injury that requires treatment by a physician shall obtain a written medical release from a physician and submit it to the Course Manager before being permitted to resume training. An injured student is required to make notification to CSTI Hazardous Materials Section Chief if said student obtained medical treatment without Course Manager's knowledge;

(4) All Course Managers, certified and noncertified instructors, and students who are conducting or participating in any State certified hazardous materials course, as referenced in Section 2520, that involves chemical monitoring or analysis shall adhere to the following safety procedures:

(A) Student shall be a minimum of 20 feet away from all chemical demonstrations involving reactive chemical, explosive chemicals, or potentially vigorous reactions;

(B) Students shall be in a well ventilated room not to exceed 85 degrees F or outside not to exceed 100 degrees F;

(C) All instructors and students shall wear appropriate chemical protective clothing;

(D) During the handling of chemicals, students shall be monitored according to a student–to–instructor ratio that does not exceed 10–to–1;

(E) An EMT–I, or greater, shall be available on–site or through local EMS, at all times during the handling of chemicals (efforts should be made to have an EMT–P available); and

(F) Escape routes and warning signals should be identified by course manager and discussed with students.

(5) All Course Managers, certified and noncertified instructors, and students who are conducting or participating in any State certified hazardous materials course, as referenced in Section 2520, that involves an outdoor practical field exercise shall adhere to the following safety procedures:

(A) Student–to–Instructor ratio shall not exceed 15–to–1;

(B) Students shall work outdoors in a maximum of 50 minute increments with 10 minute breaks, (except training scenarios);

(C) Students shall not be permitted to remain in a Level A, B, and/or C suit (maximum suit time) for any period of time exceeding 45 consecutive minutes without a minimum of 30 minute break after doffing suit;

(D) If outdoor temperatures exceed 100 degrees F, student shall take breaks 10 minute minimum every 30 minutes. Above 100 degrees F, student time in chemical protective clothing shall be limited to 15 minutes including standby time and no in–suit training will be allowed when temperatures exceed 105 degrees F;

(E) Adequate drinking water shall be made available to all students and instructors during class hours;

(F) A covered resting/viewing area shall be made available for all students and instructors when environmental conditions dictate;

(G) When students are involved in donning Level A, B, and/or C protective clothing, a back–up student shall assist the student donning the clothing. If the back–up student discovers a problem, he or she shall assist the student in Level A, B, and/or C clothing to a safe position and then immediately notify an instructor;

(H) A demonstration on proper ladder safety shall be given to all students prior to any training involving ladders; and

(I) An EMT–I, or greater, will be available on site or through local EMS at all times during the use of Level A, B, and/or C Protective Clothing and Equipment and pre and post suit entry medical monitoring, (vital signs), shall be done each time students wear chemical protective clothing.

(*l*) Certified Course Publication/Marketing Policy

(1) Unless otherwise noted, all course student notebooks and handout materials issued by the California Specialized Training Institute for the State Certified Hazardous Materials Courses referenced in Section 2520 are public domain and, thereby, not subject to copyright.

(2) All materials making reference to the Office of Emergency Services and/or California Specialized Training Institute that are to be used to market or seek attendance in a State Certified Hazardous Materials Course shall be forwarded to the California Specialized Training Institute Hazardous Materials Section Chief for approval prior to their use.

(m) Course Prerequisites

(1) Students shall complete a First Responder Operations Course meeting the minimum content requirements as referenced in Section 2520(b) or an Incident Commander Course meeting the minimum content requirements as referenced in Section 2520(c) prior to being permitted to attend any State Certified Hazardous Materials Technician/Specialist Course as referenced in Section 2520. The Course Manager shall forward a signed Hazardous Materials Proof of FRO Competencies Form (HM 170, (rev. 8/99) incorporated by reference) to CSTI with the completed Course Roster (HM 150), as referenced in Section 2550(a)(4).

(2) Students shall complete a First Responder Operations Course meeting the minimum content requirements as referenced in Section 2520(b) or an Incident Commander Course meeting the minimum content requirements as referenced in Section 2520(c) prior to being per-

mitted to attend any State Certified Hazardous Materials Investigations Course as referenced in Section 2520(e). The Course Manager may adopt an equivalent course with prior permission from the CSTI Hazardous Materials Section. The Course Manager shall forward a signed Hazardous Materials Proof of FRO Competencies Form (HM 170) to CSTI with the completed Course Roster (HM 150), as referenced in Section 2550(a)(4).

(3) Applicants shall complete a State Certified Hazardous Materials Investigations Course or its equivalent, as specified in Section 2520(e) prior to attending a State Certified Hazardous Materials Advanced Environmental Crimes Investigations Course as specified in Section 2520(u).

(4) Any student seeking to attend a State Certified Hazardous Materials Advanced Environmental Crimes Investigations Course as specified in Section 2520 (u) shall provide documentation to the Course Manager that verifies that said student is an active member of an environmental crimes investigations team/unit or works in the direct support of an environmental crimes investigation team or unit prior to being allowed to attend.

(5) Students shall complete a First Responder Operations Course meeting the minimum content requirements as referenced in Section 2520(b) or an Incident Commander Course meeting the minimum content requirements as referenced in Section 2520(c) prior to being permitted to attend a State Certified Hazardous Materials Emergency Response First Responder Operations — Decontamination Course as referenced in Section 2520(x), or a State Certified Haz Mat Emergency Response–Incident Commander Course meeting the 24 hour minimum class duration requiement as referenced in Section 2520(c)(3), or a State Certified Hazardous Materials Emergency Response Technician—Private Industry Course meeting the 16 hour minimum class duration requirement as referenced in Section 2520(t)(3).

(6) Current Certification is defined by Section 2510(i) and is required when requesting equivalency for select CSTI courses or as a prerequisite for courses which permit equivalency.

(7) Requests for exceptions and waivers should be sent to the Chief of the CSTI HazMat Section.

(n) Required Course Materials and Training Aids

(1) Course Managers are required to use course materials, text books, reference books, videos, equipment and training aids that are designated in Section 2520 for specific State certified hazardous materials courses.

(2) Any Course Manager who seeks to substitute other materials, text books, reference books, videos, equipment or training aids in place of those specified in Section 2520, shall submit a written request with a copy of the material(s) to be considered, to the California Specialized Training Institute Hazardous Materials Section Chief for approval prior to use in any certified course.

(o) Technician and Specialist Designation

(1) Any student who has successfully completed all of the Hazardous Materials Technician/Specialist Courses as referenced in Section 2520(k)–(q) shall be recognized as having been trained as a certified Hazardous Materials Specialist by the State of California.

(2) Any student who has successfully completed all of the Hazardous Materials Technician/Specialist Courses as referenced in Section 2520(k)–(n) shall be recognized as having been trained as a certified hazardous Materials Technician by the State of California.

(3) Any Student who seeks to challenge the Technician/Specialist 1A Course, as referenced in Section 2520(k), shall be permitted to take the Technician/Specialist 1A Final Exam only once, as administered by a CSTI Hazardous Materials Section faculty member or designated certified instructor. If said student successfully passes said exam, the student shall be certified as completing the Technician/Specialist 1A Course, as referenced in Section 2520(k). The regular tuition fee may be charged to the student prior to administering the Technician/Specialist 1A Final Exam.

(p) California Code of Regulations Acknowledgment Receipt

(1) Prior to managing, instructing, or assisting in any course requesting State certification, all certified instructors are required to read, understand, and follow Title 19 CCR 2510–2560.

(2) All certified instructors are responsible for obtaining, reviewing, and complying with all published revisions to these regulations, as designated in Title 19 California Code of Regulations, Division 2, Chapter 1, Subchapter 2, Sections 2510–2560 entitled Hazardous Substances Emergency Response Training.

(q) Specialist Evaluation

(1) The Haz Mat Specialist Evaluation Record (HM 230), as referenced in Section 2550(a)(10), shall only be completed by the Specialist 1G Course Manager or instructor(s) assisting the Course Manager, under the director supervision of said Course Manager.

(2) Instructors who complete the Haz Mat Specialist Evaluation Record (HM 230) shall accurately and objectively evaluate the student's performance based on the certified curriculum as referenced in Section 2520.

(3) Instructors who complete the Haz Mat Specialist Evaluation Record (HM 230) shall complete the "comment section" whenever a student receives a performance grade of "3" (Outstanding) or "O" (Failure).

(4) The Specialist 1G Course Manager is responsible for reviewing and ensuring that the Haz Mat Specialist Evaluation Record (HM 230) is accurate, objective, and contains all required comments.

(5) The Specialist 1G Course Manager is responsible for assigning the final score for all students in his/her course.

(6) A student shall not receive certification in the Specialist 1G Course, as referenced in Section 2520(q), unless he or she receives a score of "1" (Average) or better in each of the five position categories.

(r) Condensed Courses

(1) The Office of Emergency Services will not certify condensed courses after June 30, 1999.

(s) Refresher Courses

(1) The California Specialized Training Institute shall issue a student a Certificate of Completion in Refresher Training for any course referenced in section 2520, except 2520(s), as long as the four components of refresher training are completed, as verified by a qualified current CSTI outreach instructor:

(A) The CSTI outreach instructor shall conduct a review and assessment of the students competencies at the appropriate CSTI standardized course, as referenced in Section 2520, in order to identify what competencies are in need of refresher training; and,

(B) The CSTI outreach instructor shall provide refresher training for the identified competencies identified in (s)(1)(A), and shall provide any updates regarding the jurisdiction/employer hazardous materials plans, policies, and standard operating procedures; and,

(C) The CSTI outreach instructor shall ensure that the student participates in an exercise that includes the objectives to demonstrate the competencies at the appropriate CSTI standardized course, as referenced in Section 2520, and provide coaching that will enhance the achievement of those competencies; and,

(D) The CSTI outreach instructor shall provide a recap of the key points of the refresher training, administer the current CSTI certified refresher exam per the regulations under section 2520(e), and provide remediation as necessary for the commonly missed questions.

(6) The California Specialized Training Institute shall issue a student a Certificate of Completion in Refresher Training for the Hazardous Waste General Site Worker Course if all of the following conditions are met:

(A) Student presents to the Course Manager a valid certificate of completion issued by the California Specialized Training Institute for the Hazardous Waste General Site Worker Course meeting the content requirements referenced in Section 2520(s);

(B) Student actively participates in the 8 hour California Specialized Training Institute's refresher course for the Hazardous Waste General Site Worker Course.

(C) Student actively participates in a review of the training requirements for Hazardous Waste General Site Worker as specified in Title 8 California Code of Regulations Section 5192(e);

(D) Student actively participates in an activity requiring them to complete a practical exercise while wearing a level of chemical protective clothing appropriate to that worksite;

(E) Student demonstrates basic competency of Hazardous Waste General Site Worker level objectives, as referenced in Section 2520(s)(1), during the CSTI Hazardous Waste General Site Worker Refresher Course field training exercise or a Hazardous Waste General Site Worker level refresher exercise developed and approved by student's employer; and

(F) Student successfully completes the CSTI Hazardous Waste General Site Worker Refresher Course written examination with a score of 70% or better.

(7) All administrative procedures, as referenced in Section 2540, shall apply to all refresher courses.

(8) Course Managers seeking to teach any of the refresher courses referenced above shall indicate on the Training Notification Form (HM 100), as referenced in Section 2550, that said course will be in the refresher format.

(9) Course Managers who have completed teaching any of the refresher courses referenced above shall submit to CSTI with the Course Roster Form (HM 150), as referenced in Section 2550, a photocopy of the certificate of the prerequisite course for each student as designated in Section 2540(t)(1)(A) or Section 2540(t)(2)(A).

(10) The Course Manager for the First Responder Awareness Refresher Course shall be a certified First Responder Awareness or Operations Instructor as referenced in Section 2530(a).

(11) The Course Manager for the First Responder Operations Refresher Course shall be a certified First Responder Operations or Incident Commander Instructor as referenced in Section 2530(a).

(12) The Course Manager for the Emergency Response Incident Commander Refresher Course shall be a certified Incident Commander Instructor as referenced in Section 2530(a).

(13) The Course Manager for the Hazardous Materials Emergency Response Technician—Private Industry Refresher Course shall be a certified California State Certified Hazardous Materials Technician/Specialist 1C and 1D or 1F and 1G or Hazardous Materials Emergency Response Technician—Private Industry Instructor as referenced in Section 2530(b). The course manager for a Hazardous Waste General Site Worker Refresher Course shall be a certified California State Certified Hazardous Waste General Site Worker Instructor.

(t) Certified Curriculum

(1) Certified curriculum for the California Hazardous Substances Incident Response Training and Education Program shall consist of Instructor Guides and/or Student Notebooks, effective publication dates as of September 1, 2002 or thereafter, as listed below. Course managers shall ensure that certified classes use the current edition of the documents listed for the applicable course. These documents are incorporated by reference in their entirety into these regulations for the courses described in Section 2520.

Clandestine Methamphetamine Laboratories First Responder Awareness, Student Manual

Clandestine Methamphetamine Laboratories First Responder Awareness, Instructor Guide.

Clandestine Methamphetamine Laboratories First Responder Operations, Student Manual

Clandestine Methamphetamine Laboratories First Responder Operations, Instructor Guide.

Hazardous Materials – Assistant Safety Officer Student Manual

Hazardous Materials – Assistant Safety Officer, Instructor Guide

Hazardous Materials Emergency Response: First Responder Awareness Student Notebook

Hazardous Materials Emergency Response: First Responder Awareness Instructor Guide

Hazardous Materials Emergency Response: First Responder Operations Student Notebook

Hazardous Materials Emergency Response: First Responder Operations Instructor Guide

Hazardous Materials Emergency Response: Incident Commander Student Notebook

Hazardous Materials Emergency Response: Incident Commander Instructor Guide

Hazardous Materials Emergency Response: Executive Management Student Notebook.

Hazardous Materials Emergency Response: Principles of Environmental Crimes Investigations Student Notebook

Hazardous Materials Emergency Response: Environmental Monitoring Student Notebook

Hazardous Materials Emergency Response: Incident at Ports Student Notebook

Hazardous Materials Emergency Response: Instructor Certification Student Notebook

Hazardous Materials Emergency Response: Inst. Cert. for Trainers Student Notebook

Hazardous Materials Emergency Response: Instructor Recertification Student Notebook

Hazardous Materials Emergency Response: Tech/Specialist (1A): Basic Chemistry Student Notebook

Hazardous Materials Emergency Response: Tech/Specialist (1A): Basic Chemistry Instructor Guide

Hazardous Materials Emergency Response: Tech/Specialist (1B): Applied Chemistry Student Notebook

Hazardous Materials Emergency Response: Tech/Specialist (1B): Applied Chemistry Instructor Guide

Hazardous Materials Emergency Response: Tech/Specialist (1C): Incident Considerations Student Notebook

Hazardous Materials Emergency Response: Tech/Specialist (1C): Incident Considerations Instructor Guide

Hazardous Materials Emergency Response: Tech/Specialist (1D): Tactical Field Operations Student Notebook

Hazardous Materials Emergency Response: Tech/Specialist (1D): Tactical Field Operations Instructor Guide

Hazardous Materials Emergency Response Specialist (1F): Specialized Mitigation Techniques Student Notebook

Hazardous Materials Emergency Response Specialist (1F): Specialized Mitigation Techniques Instructor Guide

Hazardous Materials Emergency Response Specialist (1G): Tactical Field Operations Instructor Guide

Hazardous Materials Emergency Response Tech/Spec: Instructor Orientation Student Notebook

Hazardous Materials Emergency Response Technician—Private Industry Student Notebook

Hazardous Materials Emergency Response Technician—Private Industry Instructor Guide

Hazardous Materials Emergency Response Technician—Private Industry (24 Hour) Student Notebook

Hazardous Materials Emergency Response Technician—Private Industry (24 Hour) Instructor Guide

Hazardous Materials Emergency Response Advanced Environmental Crimes Investigations Student Notebook

Hazardous Materials Emergency Response Emergency Medical Response to Hazardous Materials Incidents Student Notebook

Hazardous Materials Emergency Response Emergency Medical Response to Hazardous Materials Incidents Instructor Guide

Hazardous Materials Emergency Response Guidelines for Hospitals and Emergency Departments: Managing the Victims of Hazardous Materials Incidents Student Notebook

Hazardous Materials Emergency Response Guidelines for Hospitals and Emergency Departments: Managing the Victims of Hazardous Materials Incidents Instructor Guide

Hazardous Materials Emergency Response First Responder Operations – Decontamination Student Notebook

Hazardous Materials Emergency Response First Responder Operations – Decontamination Instructor Guide

Hazardous Materials — Mass Casualty Decontamination, Student Manual

Hazardous Materials — Mass Casualty Decontamination, Instructor Guide

Hazardous Materials/Weapons of Mass Destruction Assistant Safety Officer Student Manual (rev.2007)

Hazardous Materials/Weapons of Mass Destruction Assistant Safety Officer Plan of Instruction (rev. 1/2007)

Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Operations and Decontamination for Health Care Student Manual (rev. 6/2007)

Hazardous Materials/Weapons of Mass Destruction Emergency Response, First Receiver Operations and Decontamination for Health Care Plan of Instruction (rev. 6/2007)

Hazardous Materials/Weapons Of Mass Destruction, First Responder Operations, Law Enforcement Field Support Course Student Manual (rev. 2/2007)

Hazardous Materials/Weapons Of Mass Destruction, First Responder Operations, Law Enforcement Field Support Course Plan of Instruction (rev. 2/2007)

Hazardous Materials, Weapons of Mass Destruction Terrorism for the Technician/ Specialist Course Student Manual (rev. 4/2007)

Hazardous Waste General Site Worker Student Notebook

Hazardous Waste General Site Worker Instructor Guide

HazMat Emergency Response, First Responder Awareness – Nuclear, Biological and Chemical Agents, Student Manual.

HazMat Emergency Response, First Responder Awareness – Nuclear, Biological and Chemical Agents, Instructor Guide.

First Responder Operations—Nuclear, Biological and Chemical Agents Student Notebook

Incident Commander: Nuclear, Biological and Chemical Agents (IC–NBC) Course Participant Workbook

NOTE: Authority cited: Section 8574.20(a), Government Code. Reference: Section 8574.20(b), Government Code.

HISTORY

1. New section filed 7–8–91; operative 8–7–91 (Register 91, No. 46).
2. New subsections (g), (h) and (i) filed 9–16–91; operative 10–16–91 (Register 92, No. 2).
3. Amendment filed 5–12–94; operative 6–13–94 (Register 94, No. 19).
4. Editorial correction (Register 96, No. 52).
5. Amendment of section and NOTE filed 12–23–96; operative 1–22–97 (Register 96, No. 52).
6. Amendment of section and new forms filed 10–15–98; operative 11–14–98 (Register 98, No. 42).
7. Amendment of subsection (t) filed 2–8–2000; operative 3–9–2000 (Register 2000, No. 6).
8. Amendment of section and NOTE filed 4–25–2003; operative 5–25–2003 (Register 2003, No. 17).
9. Amendment filed 12–18–2007; operative 1–17–2008 (Register 2007, No. 51).

SITE SAFETY AND CONTROL PLAN ICS 208 HM	1. Incident Name:	2. Date Prepared:	3. Operational Period: Time:

Section I. Site Information

4. Incident Location:

Section II. Organization

5. Incident Commander:	6. HM Group Supervisor:	7. Tech. Specialist – HM Reference:
8. Safety Officer:	9. Entry Leader:	10. Site Access Control Leader:
11. Asst. Safety Officer – HM:	12. Decontamination Leader:	13. Safe Refuge Area Mgr.:
14. Environmental Health:	15.	16.

17. Entry Team: (Buddy System) Name:	PPE Level	18. Decontamination Element: Name:	PPE Level
Entry 1		Decon 1	
Entry 2		Decon 2	
Entry 3		Decon 3	
Entry 4		Decon 4	

Section III. Hazard/Risk Analysis

19. Material:	Container type	Qty.	Phys. State	pH	IDLH	F.P.	I.T.	V.P.	V.D.	S.G.	LEL	UEL

Comment:

Section IV. Hazard Monitoring

20. LEL Instrument(s):	21. O_2 Instrument(s):
22. Toxicity/PPM Instrument(s):	23. Radiological Instrument(s):

Comment:

Section V. Decontamination Procedures

24. Standard Decontamination Procedures:	YES:	NO:

Comment:

Section VI. Site Communications

25. Command Frequency:	26. Tactical Frequency:	27. Entry Frequency:

Section VII. Medical Assistance

28. Medical Monitoring:	YES:	NO:	29. Medical Treatment and Transport In–place:	YES:	NO:

Comment:

ICS 208 HM – 3/98 Page 1

Section VIII. Site Map
30. Site Map:
Weather ☐ Command Post ☐ Zones ☐ Assembly Areas ☐ Escape Routes ☐ Other ☐

Section IX. Entry Objectives
31. Entry Objectives:

Section X. SOP'S and Safe Work Practices		
32. Modifications to Documented SOP's or Work Practices:	YES:	NO:
Comment:		

Section XI. Emergency Procedures
33. Emergency Procedures:

Section XII. Safety Briefing	
34. Asst. Safety Officer – HM Signature:	Safety Briefing Completed (Time):
35. HM Group Supervisor Signature:	36. Incident Commander Signature:

INSTRUCTIONS FOR COMPLETING THE SITE SAFETY AND CONTROL PLAN
ICS 208 HM

A Site Safety and Control Plan must be completed by the Hazardous Materials Group Supervisor and reviewed by all within the Hazardous Materials Group prior to operations commencing within the Exclusion Zone.

Item Number	Item Title	Instructions
1.	Incident Name/Number	Print name and/or incident number.
2.	Date and Time	Enter date and time prepared.
3.	Operational Period	Enter the time interval for which the form applies.
4.	Incident Location	Enter the address and or map coordinates of the incident.
5 – 16.	Organization	Enter names of all individuals assigned to ICS positions. (Entries 5 & 8 mandatory). Use Boxes 15 and 16 for other functions: i.e. Medical Monitoring.
17 – 18.	Entry Team/Decon Element	Enter names and level of PPE of Entry & Decon personnel. (Entries 1 – 4 mandatory buddy system and back–up.)
19.	Material	Enter names and pertinent information of all known chemical products. Enter "UNK" if material is not known. Include any which apply to chemical properties. (Definitions: ph = Potential for Hydrogen (Corrosivity), IDLH = Immediately Dangerous to Life and Health, F.P. = Flash Point, I.T. = Ignition Temperature, V.P. = Vapor Pressure, V.D. = Vapor Density, S.G. = Specific Gravity, LEL = Lower Explosive Limit, UEL = Upper Explosive Limit)
20 – 23.	Hazard Monitoring	List the instruments which will be used to monitor for chemical.
24.	Decontamination Procedures	Check "NO" if modifications are made to standard decontamination procedures and make appropriate Comments including type of solutions.
25 – 27.	Site Communications	Enter the radio frequency(ies) which apply.
28 – 29.	Medical Assistance	Enter comments if "NO" is checked.
30.	Site Map	Sketch or attach a site map which defines all locations and layouts of operational zones. (Check boxes are mandatory to be identified.)
31.	Entry Objectives	List all objectives to be performed by the Entry Team in the Exclusion Zone and any parameters which will alter or stop entry operations.
32 – 33.	SOP's, Safe Work Practices, and Emergency Procedures	List in Comments if any modifications to SOP's and any emergency procedures which will be affected if an emergency occurs while personnel are within the Exclusion Zone.
34 – 36.	Safety Briefing	Have the appropriate individual place their signature in the box once the Site Safety and Control Plan is reviewed. Note the time in box 34 when the safety briefing has been completed.

§ 19–2550. Administrative Forms.

(a) The following forms shall be utilized in the administration of the California Hazardous Substances Incident Response Training and Education Program as designated in section 2540:

(1) Training Course Notification Form (HM 100);

(2) Class Schedule Form (HM 130);

(3) Student Course Evaluation Form (HM 140);

(4) Course Roster Form (HM 150);

(5) Course Manager Course Evaluation Form (HM 160);

(6) Hazardous Materials Proof of FRO Competencies Form (HM 170) (rev. 8/99)

(7) Course Audit Report Form (HM 180);

(8) FTF Inspection Report Form (HM 190);

(9) CCR Acknowledgment Receipt Form (HM 200);

(10) Teaching Verification Form (HM 220);

(11) Haz Mat Specialist Evaluation Record (HM 230);

(12) CSTI Application Form

(13) CSTI Statement of Physical or Medical Qualification Form (HM 280) (rev. 9/04)

(14) CSTI Statement of Physical or Medical Qualification for APR Form (HM 280 C) (rev. 4/04)

(15) CSTI Injury and Accident Form (HM 290) (rev. 9–07)

2550 (a) 1

HAZARDOUS MATERIALS TRAINING COURSE NOTIFICATION

1. Course Number (leave blank): _____

2. Course Type:

		Tech./Spec:		
___ FRA	___ FRA Refresher	___ 1A	___ 1E	___ FRO Decon
___ FRO	___ FRO Refresher	___ 1B	___ 1F	___ Medical Mgmt.
___ IC/SM	___ FRO Condensed	___ 1C	___ 1G	___ Other: (Title)
___ Invest.	___ IC/SM Condensed	___ 1D		_____

3. Course Dates: _____

4. Course Time: _____

5. Course Address (number/street, city, zip): _____
_____

6. Course Manager's (Lead Instructor) Name: _____

7. Course Manager's (Lead Instructor) Certificate Number: _____

8. Course Manager's Mailing Address: _____
_____
_____
_____

9. Course Manager's Phone Number: _____

10. Which exam will you be using? Year: _____ A___ B___ C___

11. Adjunct Instructors Names and Certificate Numbers: _____
_____
_____

This course notification to CSTI constitutes an agreement between the above-indicated Course Manager and the State of California to conduct the above-indicated course in accordance with the minimum hours, performance objectives, course content, and procedures designated in Title 19, California Code of Regulations, Chapter 1, SubChapter 2, Sections 2510-2560.

You may call this information into Outreach Coordinator, or fill out this form and mail it or fax it. Please submit all information to CSTI 6 weeks prior to class. Address and phone numbers are listed below:

If mailing this form please mail to: CSTI, Attn: Outreach Coordinator, P.O. Box 8104, San Luis Obispo, CA 93403-8104. **Phone:** 805/549-3534. **FAX:** 805/549-3555.

The Course Manager is required to submit to CSTI, no later than 6 weeks following completion of above indicated course, the following materials: **1) Course Roster Form (HM150), 2) Student Evaluation Form (HM140), 3) Course Manager Evaluation Form (HM160) (Optional), 4) Course Schedule (HM130)**

For CSTI Use Only:
Notification Received: _____
Materials Shipped: _____
Course Status: ___ Open ___ Ongoing ___ Closed

State of California-OES/CSTI Revised 9/93 Form HM100

2550 (a) 2

CSTI HAZARDOUS MATERIALS CLASS SCHEDULE

COURSE TITLE: _____

DATES: _____ _____ **Course Number**

COURSE MANAGER: _____

DAY/TIME	SUBJECT AREA	CORRESPONDING CSTI TAB	INSTRUCTOR	HRS. TO BE CREDITED

_____
Course Manager Signature

State of California OES/CSTI Revised 8/93 Form HM130

2550 (a) 3

HAZARDOUS MATERIALS COURSE STUDENT EVALUATION FORM

(One Evaluation Required Per Participant)

I. Your Agency (Optional): _____

II. Your Name (Optional): _____

III. Course Title: _____

IV. Course Date: _____

V. CSTI Class Number: _____

VI. Course Manager: _____

VII. Were stated Course Objectives Met: YES ____ NO ____

Based on the CSTI course you have just taken, and using the rating scale of 1 to 5 as indicated below, please rate the current QUALITY of:

1 = Inadequate 2 = Needs Improvement 3 = Satisfactory 4 = Good 5 = Excellent

1. Effectiveness of Instructor's presentation style and communication techniques. ____
2. Instructors concern for his/her participants. ____
3. Instructors level of knowledge. ____
4. Effectiveness of Instructors teaching ability/skills. ____
5. Effectiveness and proper use of visual aids. ____
6. Effectiveness and proper use of reference materials. ____
7. Effectiveness and proper use of training aids (props). ____
8. Effectiveness and appropriateness of the CSTI certified exam. ____
9. Level of difficulty of CSTI certified exam. ____
10. Course content (thorough - realistic). ____
11. Application (enough "hands-on" training). ____
12. Time management. ____
13. Motivation level of other participants. ____

OVER

Based on the CSTI course you have just taken, please answer (with explanation) the following questions:

14. In my opinion, the MOST BENEFICIAL block of instruction was:

_____

_____

15. In my opinion, the LEAST BENEFICIAL block of instruction was:

_____

_____

16. In my opinion, the #1 TOPIC for this course to address in the future is:

_____

_____

17. In my opinion, the #1 TRAINING SERVICE CSTI could provide in the future is:

_____

_____

18. This Course ___ BENEFITED ME ___ DID NOT BENEFIT ME because:

_____

_____

_____

Please use the rest of the page to share any other comments or suggestions that you feel will help us improve and refine CSTI courses/service in the future.

THANK YOU

2550 (a) 4

CSTI HAZARDOUS MATERIALS COURSE ROSTER

PLEASE TYPE OR PRINT LEGIBLY

Course Title: _____

Course Date: _____

CSTI Class Number: _____

Course Manager: _____

NAME/SSN	ADDRESS / PHONE	PASSED Y/N	% SCORE	ISSUED BY CSTI CERT. #
Name SSN				
Name SSN				
Name SSN				
Name SSN				
Name SSN				
Name SSN				
Name SSN				
Name SSN				
Name SSN				

COURSE MANAGER: _____
(Signature)

I Certify that this course was conducted in accordance with minimum hours, performance objectives, outlines and procedures identified by CSTI pursuant to California Code of Regulations, Section 2520.

State of California-OES/CSTI Revised 3/93 Form HM150

2550 (a) 5

HAZARDOUS MATERIALS COURSE MANAGER EVALUATION

(Optional)

Course Title: _____
Course Date: _____
CSTI Class Number: _____
Course Manager: _____

COURSE ASSESSMENT

1. **MATERIALS:** **COMMENTS:**
   - °Technically accurate
   - °Up to date
   - °Well organized
   - °Easy to use
   - °Complete

2. **AUDIOVISUALS:** **COMMENTS:**
   - °Type
   - °Titles
   - °Quality

3. **COURSE:** **COMMENTS:**
   - °Relevant
   - °Facilitated learning
   - °Lectures/activities were appropriate
   - °Right amount of material
   - °Appropriate for participants
   - °Effective

4. **PARTICIPANTS:** **COMMENTS:**
   - °Motivated
   - °Manageable
   - °Precourse information

5. **FACILITIES:** **COMMENTS:**
   - °Conducive to learning
   - °AV equipment available

6. Was the course delivered as designed? If not, why?

7. Do you feel that the course met its objectives? If not, why?

8. Did you train all sessions of the course? If not, why?

Please use the following lines for comments and suggestions: _____

State of California-OES/CSTI Revised 8/93 Form HM160

Hazardous Materials Proof of FRO Competencies
SUBMIT FOR EACH **COURSE** REQUIRING FRO
AS A PREREQUISITE

Course Title: _____

Course Date: _____

CSTI Class Number: _____

Course Manager: _____

This memo is to verify that all participants of the California Specialized Training Institute's Hazardous Materials Course Type and Number (listed above) taught by outreach course manager (listed above) have successfully completed **Hazardous Materials First Responder Operational competencies** as specified in California Code of Regulations, Title 19, Division 2, Chapter 1, Subchapter 2, Section 2540 m (1), prior to attending the course number referenced above.

I understand that at any time, the California Specialized Training Institute may audit my course, and ask me to provide documentation of Hazardous Materials First Responder Operational competency training as referenced in the California Code of Regulations Section 2540 m (1) for the above listed course participants.

_____
(Signature of Course Manager)

NOTE: Please submit only this form. Copies of FRO competency certificates are to be filed by the Course Manager, and not submitted to C.S.T.I. unless requested in an audit.

State of California-OES/CSTI Revised 8/99 Form HM170

2550 (a) 6

COURSE AUDIT REPORT:

Directions: Auditor completes all pages of this report. Auditor must also attach a copy of the appropriate subsection within Section 2520 of the California Code of Regulations, that corresponds to the type of course being audited (eg. First Responder Awareness, First Responder Operational, Incident Commander, etc.). The auditor is required to utilize the regulation subsection as a checklist and place his/her initials next to each topic in which the course is in compliance. Lack of initials next to topic will indicate a deficiency in the course being audited. All deficiencies should be addressed in the comment section.

Course Title: _____

Course Date(s): _____

Course Location: _____

Course Manager: _____

Course Manager's Instructor Number: _____

Course Manager's Mailing Address: _____

_____

Course Manager's Phone Number: _____

Presenting Agency/Organization: _____

Instructor(s): **Blocks:**

_____

_____

_____

_____

_____

_____

_____

Type of Audit: **Routine**_____**Special**_____**Follow-up**_____

State of California-OES/CSTI Revised 11/2/93 Form HM 180 Page 1

Summary of Findings & Comments:

use additional paper if necessary

Auditor's Signature: _____ **Date:** _____
Auditor's Name (print or type): _____
Auditor's Title: _____
Organization: _____
Address: _____
Phone Number: _____

Audit Checklist:

Directions: Auditor completes this checklist by putting his/her initials in the appropriate column for each item indicated. Any discrepancies, significant observations, or standards not in compliance should be explained in the "Summary of Findings & Comments" section above.

Standard:	In Compliance: YES	In Compliance: NO	Not Observed:
COURSE MANAGER & INSTRUCTORS			
1. Course Manager was on-site monitoring, coordinating, and/or instructing in course.			
2. Course Manager taught at least 20% of course. (only applicable to audits of entire course)			
3. Noncertified Instructors were teaching under the supervision of the Course Manager.			
4. Professional conduct, as specified in CCR Section 2540(i) was demonstrated by all instructors.			
COURSE ADMINISTRATION & SAFETY			
5. Classroom Student-to-Instructor Ratio did not exceed 40-to-1.			
6. Field/Exercise Student-to-Instructor Ratio did not exceed 15-to-1.			
7. Course Manager had a system in place to document & verify all student attendance.			
8. Safety Policy was adhered to by all instructors, as specified in CCR Section 2540(k), as applicable.			
COURSE MATERIALS			
9. Each student was provided a copy of the certified curriculum (student notebook).			
10. Each student was provided with a Course Evaluation Form HM 130. (only applicable to audits of entire course)			

--continued--

--continued--

Standard:	In Compliance: YES	In Compliance: NO	Not Observed:
11. All reference books, videos, training aids, text books, and equipment as specified in CCR 2520 for the appropriate level of training were on-site and available to students.			
COURSE CONTENT & HOURS			
12. All blocks of instruction that were audited contained all of the required content as specified in CCR 2520 for the appropriate level of training.			
13. Course met or exceeded minimum required hours as specified in CCR 2520 for the appropriate level of training. (only applicable to audits of entire course)			
EXERCISES			
14. Table Top and/or Field Exercise(s) met all objectives specified in CCR Section 2520 for the appropriate level of training.			
15. Proper equipment and materials were available during the exercise.			
EXAMS			
16. The Course Manager administered the "current" certified final exam at the end of course.			
17. Certified exams were administered, proctored, corrected and scored by the Course Manager. (note: assistance from other "certified" instructors is permitted)			
18. The proper time limit was adhered to for the administration of certified final exam. (one minute per question unless otherwise indicated on exam)			
19. Students were not permitted to retain any certified final exams.			
20. No questions and/or answers to the certified exam were revealed to students prior to administration of certified final exam.			

2550 (a) (7)

FIELD TRAINING FACILITY INSPECTION REPORT:

Directions: Inspector completes this report and forwards it to the CSTI Hazardous Materials Section Chief within 10 working days from date of inspection. All items must be present and operational at time of inspection in order for the facility to be certified. Field Training Facility Inspection and Certification Procedures are found in Title 19, California Code of Regulations, Chapter 1, Sub-Chapter 2, Sections 2560. Authority to conduct inspection is found in Title 2, California Government Code, Division 1, Chapter 7, Article 3.8, Section 8574.

Inspection Date:_____

Location: _____

Presenting Agency/Organization: _____

FTF Coordinator's Name: _____Title: _____

FTF Coordinator's Address: _____

FTF Coordinator's Phone: _____

Inspector's Signature: _____ **Date:** _____

Inspector's Name: _____**Title:** _____

Inspector's Signature: _____ **Date:** _____

Inspector's Name: _____**Title:** _____

Reviewed By: _____
(CSTI Haz. Mat. Section Chief Signature)

Date: _____

APPROVED____ **NOT APPROVED**____

Reviewed By: _____
(CSFM Representative Signature)

Date: _____

APPROVED____ **NOT APPROVED**____

State of California-OES/CSTI Revised 11/2/93 Form HM 190 Page 1

TRAINING AIDS:

__**Drums** that have been designed with leaks of the following types:

__One Side Void (eg. fork lift or nail puncture).
__One Bottom Failure (bottom of drum cut free so that drum fails if moved).
__One Bung Leak (damaged threads).
__One Chine Leak (1/16 holes or saw cut).

__**Drums** for sampling:

__One 17 E with threaded bung, 55 gal.
__One 17 H with removable top, 55 gal.
__One non-operable (weld or braze bungs closed).

__**Overpack**:

__One DOT 49 CFR 173.3 Salvage Drum, 85 gal.
__One DOT 49 CFR 173.3 Salvage Drum, 8 gal.
__One DOT 49 CFR 173.3 Salvage Drum, Polyethylene.

__One **100-150 lb. Chlorine Container** designed for vapor leak from the valve area.

__One **1-Ton Chlorine Container** designed for liquid and vapor leaks from valve and fusible plug. Container shall be designed to allow instructor to change leak from a liquid to a vapor when students roll the container.

__One **Chlorine Tank Dome** designed for liquid line, vapor line and safety relief valve leak. One leak should be from vibration opening of valve, one leak from a valve loose in its mount, and one leak from a failed safety-relief valve. The tank dome shall be designed to allow the student to read the vapor pressure via one of the vapor lines.

__One **Fixed Bulk Storage Tank** (minimum of 200-gallon capacity) with leaks of a type to facilitate the application of a tank bandage.

__One **MC 306/MC 406 type Tank Truck** designed to simulate leak from dome cover on overturned tanker. Tanker must be of sufficient size to allow drilling for stinger operations.

Register 2007, No. 51; 12–21–2007

__One **Railroad Tank Car** with domes listed below or **Domes** listed below on a simulated Railroad Tank Car. All work shall be done on a platform that is no larger than 64 square feet and at least 10 feet above ground level:

__One **Chlorine Dome** meeting requirements specified above;
__One **Pressure Dome** designed to leak from liquid valve, vapor valve, and failed Safety-Relief Valve. The dome shall be designed to allow students to gauge the liquid level in the tank
__One **General Service Dome** designed to leak from Liquid Valve

__One **Storm Drain** designed to allow water flow from an out fall line for students to construct an under flow dam to contain hazardous materials.

__One **Piping System** designed to leak liquid or vapor on 2-12-inch or larger pipes including the following:

__**Valve, Flange, Weld,** and **Thread Failures.**
__**Cracked Pipe.**
__**Sheared Pipe.**

__**Pressure Vessels** designed to leak from a valve or valve area including the following:

__One **100-150 lb container.**
__One **1-Ton Container** meeting the requirements specified above.
__Two **Pressurized Gas Cylinders** (eg. Fumigants, Acetylene, Oxygen).

__One **Cargo Box Trailer or Intermodal Container** to be used to simulate a traffic accident with mixed cargo involved.

EQUIPMENT:

__**Drum-related**:

__Plug and Dike.
__Bung Wrench.
__Foam Wedges.
__Water Dye.
__Epoxy Putty.
__Grounding and Bonding.
__New Bungs.
__Speed Wrench and Socket.
__Drum Repair Kit.
__Drum Hand Truck.
__Transfer Pump.
__Redwood Plugs.
__Drum Lifter.

__Chlorine-related:

__A Kit.
__B Kit.
__C Kit.
__Ammonia Atomizer Bottle.

__Powdered Materials-related:

__Shovels.
__Brooms.
__Plastic Bags.
__Tarps.

__Pressurized Gas Cylinders-related:

__Hand Tools.
__Valve Thread Cap.

__Fixed Storage Tank-related:

__Patching Kits.
__Pneumatic Patching Equipment.
__5-Minute Marine Epoxy.

__Piping Leaks-related:

__Pneumatic Patching Equipment.
__Patching Kits.
__Flange Gaskets.
__Bolts and Nuts.
__Hand Tools.

__Cargo Tank-related:

__Dome Clamp (MC 306/406).
__Step Ladder.
__Pneumatic Drill.
__Grounding and bonding cables.
__Grounding rod.
__Stinger.
__4" Hole saw drill bit.
__Air pressure regulator.

__**Railroad Tank Car-related**:

__Hand Tools.
__Pneumatic Tank Patching Equipment.
__Ladders (Fire Service Type), minimum 14 ft.
__Tool Elevator (rope, bag or bucket, and pulleys).

__**Storm Drain-related**:

__Shovels.
__Sheet Plastic.
__Wheelbarrows.
__Sand.
__Over/Under flow Pipes (3-8 inches diameter).
__Pneumatic Plugs.

__**Absorbents**: Polar and Nonpolar

__Pads.
__Booms.
__Pillows.
__Granular.

__**Sampling-related**:

__Colawasa Tube.
__Scoops.
__Pipettes.
__Soil Sample Auger.
__Plastic ZipLoc-type Bags.
__Drum Thief's.
__Spoons.
__Bottles with Seals and Labels.
__1-gallon Paint Cans for Overpack.

__**Monitoring-related**:

__CGI.
__Oxygen Meter.
__Photoinization Detector.
__Dosimeters.
__Radiation Meters Mr/hr and R/hr.
__Colormetric Tubes.
__Field Chemical ID Kit.
__Test Papers.

__**Decontamination-related**:

__Four Containment Pools.
__Four Water Wands.
__Two Hudson-Type Garden Sprayers.
__Wash Tubs.
__Trash Bags (55-gallon type).
__Four Garden Hoses or Equivalent.
__Tarps.
__Brush Assortment.
__Sponges.
__Towels.

__**Other**:

__Windsock.

REFERENCE MATERIALS:

__Chemical Dictionary (Hawley's).

__Guidelines for the Selection of Chemical Protective Clothing (ACGIH).

__Handbook Of Reactive Chemical Hazards (L. Bretherick).

__CHRIS Manual (U.S. Coast Guard).

__Merck Index.

__Dangerous Properties of Industrial Materials (SAX).

__Farm Chemical Handbook (Meister).

__Pocket Guide to Chemical Hazards (NIOSH).

__Fire Protection Guide on Hazardous Materials (NFPA).

__California Haz Mat Incident Contingency Plan.

PROTECTIVE CLOTHING:

__**Level A Suits** (Adequate supply to assure that no suit is worn twice without first being cleaned and disinfected. Suit must provide total encapsulation.).

__**Level B Suits** (one per student).

__**Level C Suits** (one per student).

__**Chemical Resistant Boots** (one pair per student).

__**Chemical Resistant Gloves** (one pair per student).

__**Eye Protection** (Goggles and Safety Glasses, one pair per student).

__**Hearing Protection** (one set per student).

__**Full Face Air Purifying Respirators** (one per student).

__**Self-Contained Breathing Apparatus Mask** (one per student).

__**Self-Contained Breathing Apparatus** (one per every two students).

__**Flash Protection Over Suit** (one).

__**Cryogenic Over Suit** (one).

FORMS:

__ICS Form 201 - Incident Briefing.

__ICS Form 202 - Incident Objectives.

__ICS Form 205 - Incident Radio Communications Plan.

__ICS Form 214 - Unit Log.

__California State Haz Mat Incident Report Form.

STUDENT SAFETY :

__**First Aid Kit** (EMT-1 type).

__**Emergency Telephone or Radio** (to summon a paramedic).

__**Covered Observation Area** (sufficient capacity to seat entire class and able to provide protection from rain and sun).

__**Flashlights** (one per two students).

__**Emergency Night Lighting** (sufficient to illuminate entire exercise area).

MISC. / OPTIONAL ITEMS NOTED:

2550 (a) 8

OFFICE OF EMERGENCY SERVICES CALIFORNIA SPECIALIZED TRAINING INSTITUTE

Title 19
CALIFORNIA CODE OF REGULATIONS
Division 2
Chapter 1
SubChapter 2
Sections 2510-2560

Directions: Sign and complete this form and mail or fax it to CSTI, P.O. Box 8104, San Luis Obispo, CA 93403-8104. Attn: Haz. Mat. Outreach Coordinator. Fax : (805) 549-3555.

Acknowledgment Receipt:

I acknowledge having received and read a copy of the California Code of Regulations, Sections 2510 - 2560, and agree to conduct State certified hazardous materials training in accordance with said regulations.

Signature: _____

Date: _____ Phone: (___) _____

(Print or Type)

Certified Instructor's Name: _____

Instructor Number: _____

Mailing Address: _____

_____

_____

State of California - OES/CSTI Revised 11/2/93 Form HM 200

2550 (a) 9

California Specialized Training Institute
Hazardous Materials Technician / Specialist

TEACHING VERIFICATION FORM:

TECH / SPEC MODULE ____ COURSE NUMBER _____

DATE: _____

LOCATION:

_____

_____

_____

STATEMENT OF TEACHING VERIFICATION:

As Course Manager for the above indicated course, I verify that (name)_____ (certified instructor number, if applicable)_____ has competently assisted in the instruction of at least 50% of the above-indicated course and is recommended to be considered for instructor certification for the above-indicated Tech/Spec module.*

_____ _____
Signature of Course Manager **Date**

_____ _____
Course Manager's Name (printed or typed) **Course Manager's Instructor Number**

ADDITIONAL COMMENTS:

_____

_____

_____

_____

_____

*** Course Manager must attach a copy of the Class Schedule (Form HM130) to this form for proof of verification.**

State of California-OES/CSTI Revised 11/2/93 Form HM220

2550 (a) (10)

California Specialized Training Institute
Hazardous Materials Specialist
Evaluation Record

Position

☐☐ I.C.Staff
- Incident Commander
- Aide
- Site Safety Officer
- Information Officer
- Liaison Officer
- Plans
- Protective Actions
- Operations

☐☐ Haz Mat Group
- Haz Mat Group Supervisor
- Haz Mat Safety
- Entry Leader
- Decon Leader
- Haz Mat Tech/Ref Leader
- Site Access Control Leader
- Medical Unit Leader

☐☐ Entry Team
- Entry team member

☐☐ Decon Team
- Decon Team Member

☐☐ Haz Mat Tech/Ref Team
- Tech/Ref Team Member

Scenario #

PERFORMANCE
3 = OUTSTANDING
2 = ABOVE AVERAGE
1 = AVERAGE
0 = FAILURE

__/__/__
Date

Class #

Comments Section

Scenario # ____ Date_____ Proctor_____

Scenario # ____ Date_____ Proctor_____

Scenario # ____ Date_____ Proctor_____

Scenario # ____ Date_____ Proctor_____

Scenario # ____ Date_____ Proctor_____

Scenario # ____ Date_____ Proctor_____

Scenario # ____ Date_____ Proctor_____

Scenario # ____ Date_____ Proctor_____

Scenario # ____ Date_____ Proctor_____

Scenario # ____ Date_____ Proctor_____

Final Score	Instructor

Last First Student #

State of California-OES/CSTI Revised 11/93 Form HM 230 Page 1

Register 2007, No. 51; 12–21–2007

INSTRUCTOR GUIDE	HAZARDOUS MATERIALS SPECIALIST
Student Evaluation Record	1G-2

POSITION

ICS Command Staff

Incident Commander.
Demonstrate the ability to function as Incident Commander within the guidelines of Firescope ICS HM-120

Incident Commander Aide.
Demonstrate the ability to function as Incident Commander Aide within the guidelines of Firescope ICS HM-120.

Incident Safety Officer.
Demonstrate the ability to function as Incident Safety Officer within the guidelines of Firescope ICS HM-120. Coordinate the development and implementation of a site safety plan.

Information Officer.
Demonstrate the ability to function as Information Officer within the guidelines of Firescope ICS HM-120. Develop an incident press release, establish a Press area, coordinate all information released from the incident.

Liaison Officer.
Demonstrate the ability to function as Liaison Officer within the guidelines of Firescope ICS HM-120. Act as the point of contact for all outside agencies

Planning Section Chief.
Demonstrate the ability to function as Planning Section Chief within the guidelines of Firescope ICS HM-120.

Protective Actions Group Supervisor.
Demonstrate the ability to function as Protective Actions Group Supervisor within the guidelines of Firescope ICS HM-120. Develop and supervise the implementation of protective actions utilizing information obtained from Tech/Ref.

Operations Section Chief.
Demonstrate the ability to function as Operations Section Chief within the guidelines of Firescope ICS HM-120.

Hazardous Materials Group

HazMat Group Supervisor.
Demonstrate the ability to function as HazMat Group Supervisor within the guidelines of Firescope ICS HM-120. Be Responsible for the Implementation of the incident-action plan.

HazMat Safety.
Demonstrate the ability to function as HazMat Safety within the guidelines of Firescope ICS HM-120. Develop the Site-Safety Plan. Conduct Safety briefing.

Entry Leader.
Demonstrate the ability to function as Entry Leader within the guidelines of Firescope ICS HM-120. Demonstrate the ability to manage, plan and direct overall entry operations. Insure proper backup support. Recommend mitigation actions to be performed. Maintain control of all personnel and equipment within the Hot zone (Exclusion Zone).

INSTRUCTOR GUIDE	HAZARDOUS MATERIALS SPECIALIST
Student Evaluation Record	1G-3

Decon Leader.

Demonstrate the ability to function as Decon Leader within the guidelines of Firescope ICS HM-120. Be responsible for decontamination of all personnel and equipment exiting the Hot Zone. Insure proper chain of custody for all samples and evidence in the Decon area.

HazMat Tech/Ref Leader.

Demonstrate the ability to function as HazMat Tech/Ref Leader within the guidelines of Firescope ICS HM-120. Provide technical information and assistance to the HazMat Group Supervisor. Provide product information and mitigation recommendations through research, interpretation of monitoring data and chemical analysis of samples. Provide protective action recommendations. Determine appropriate chemical protective clothing for entry and Decon teams.

Site Access Control Leader.

Demonstrate the ability to function as Site Access Control Leader within the guidelines of Firescope ICS HM-120. Be responsible for the establishment of Contamination control zones and control the movement of all personnel between those zones.

Medical Unit Leader.

Demonstrate the ability to function as Medical Unit Leader within the guidelines of Firescope ICS HM-120. Insure the proper medical monitoring of all personnel prior to donning and after doffing chemical protective clothing and prior to any bottle change. Maintain records of the above. Advise the HazMat Safety officer of any worker exceeding established medical guidelines. Coordinate the treatment of all injuries within the incident control zones.

Entry team member.

Under the direction of the Entry Leader, safely perform the duties assigned within the Hot Zone. Insure the use of the buddy system. Select and use the proper tools and equipment for mitigation of the incident. Demonstrate the ability to operate and understand monitoring equipment. Properly don and doff chemical protective clothing. Perform rescue of injured personnel within the Hot Zone.

Decon team member.

Under the direction of the Decon Leader, safely perform the duties assigned within the Decontamination corridor. Insure the use of the buddy system. Select and use the proper tools and equipment for decontamination of all personnel samples and equipment exiting the Hot Zone. Properly don and doff chemical protective clothing.

Tech/Ref team member.

Under the direction of the Tech/Ref Leader, provide product information and mitigation recommendations through research, interpretation of monitoring data and chemical analysis of samples. Provide protective action recommendations. Determine appropriate chemical protective clothing for entry and Decon teams.

2550 (a) (11)

CALIFORNIA OFFICE OF EMERGENCY SERVICES
CALIFORNIA SPECIALIZED TRAINING INSTITUTE
POST OFFICE BOX 8104 • SAN LUIS OBISPO, CA 93403

PHONES: EMER MGMT: (805) 549-3536 FAX: (805) 549-3348
NON-RESIDENT: (805) 549-3343 FAX: (805) 543-0554
FEDERAL: (805) 549-3671 FAX: (805) 543-0554
HAZ MAT: (805) 549-3344 FAX: (805) 549-3555

APPLICATION FOR ENROLLMENT
(This form may be reproduced locally)

COURSE TITLE: _____

DATE OF COURSE: 1st Choice: _____ 2nd Choice: _____

FULL NAME: _____ S.S.#: _____

RANK/TITLE/POSITION: _____ AGENCY: _____

SEND CONFIRMATION ATTN: _____

BUSINESS ADDRESS: _____
(Street, P.O. Box) (City and State) (Zip Code)

HOME ADDRESS: _____
(Street, P.O. Box) (City and State) (Zip Code)

BUSINESS PHONE: _____ HOME PHONE: _____ FAX #: _____

DESCRIBE APPLICANT'S PROFESSIONAL EXPERIENCE, YEARS OF EXPERIENCE AND CURRENT POSITION.
THIS INFORMATION IS VITAL FOR PROPER ROLEPLAYING ASSIGNMENT IN EMERGENCY MANAGEMENT COURSES.

_____

_____

_____

_____

DO YOU HAVE A BACHELOR DEGREE (*or higher*) _____ _____
Applicant's Supervisor/Training Officer (Signature) (Date)

_____ _____
(Applicant's Signature) (Date) (Printed/typed name/Title of applicant's Supervisor/Training Officer)

PLEASE ADVISE CSTI IF YOU HAVE A DISABILITY WHICH SHOULD BE CONSIDERED WHEN MAKING SEATING ASSIGNMENTS, OR SPECIAL DIETARY NEEDS: _____

_____

_____

_____

EMERGENCY NOTIFICATION:
NAME: _____ RELATIONSHIP: _____
ADDRESS: _____ PHONE NO: _____

PLEASE CIRCLE ONE

1. Police
2. Sheriff
3. Fire
4. Highway Patrol
5. Military
6. University Police
7. City/County Admin.
8. Finance
9. Planning
10. CDF/County Fire
11. PIO
12. Public Works
13. Parks & Recreation
14. Legal
15. University E H & S
16. Health, City/Co/State
17. Medical, Hosp/Dr/RN
18. Private Industry
19. OES, City/Co/State
20. Volunteer Agencies
21. Schools
22. Community Services
23. Others
24. University (Other)
25. City (Other)
26. County (Other)
27. State (Other)
28. Transportation
29. Federal Agencies
30. Airport Police

Statement of Physical or Medical Qualification

Subject: **Strenuous & Potential Toxicological Exposure During Haz Mat Training**

Participant Name: _____

1. The above listed participant is physically qualified to participate in training which requires the following:

   A. The use of positive pressure respirators (S.C.B.A), negative pressure respirators (A.P.R.) and other respiratory protective devices.

   B. The donning, doffing and wearing of partial and/or fully encapsulating chemical protective clothing for extended durations (up to 1 hour). Including impermeable suit, gloves, boots and other accessories used during field exercises (hazards includes in-suit temperature exceeding 100 Fahrenheit and humidity of 100%). In-suit time of 30 minutes could result in rapid fluid loss up to 5% of total body weight.

   C Lifting, carrying and wearing equipment in excess of 35 lbs.

   D. Possible exposure of small amounts of toxic chemicals during hazard categorization.

_____ _____

Signature ☐ Employer **"Or"** Date

_____ _____

Signature ☐ Physician Date

Comments:

_____

_____

Note: Please *Hand Carry* this note to the first day of class. **You will not be allowed to participate in field exercises without a completed original.** ***You may have your employer or physician sign this document!***

_____

Instructor Initials

State of California – OES/CSTI www.csti.ca.gov Revised 9/04 Form HM 280

Statement of Physical or Medical Qualification

Subject: **Strenuous Activity During Haz Mat Training**

Participant Name: _____

1. The above listed participant is physically qualified to participate in training which requires the following:

   A. The use of negative pressure respirators (A.P.R.) and powered air purifying respirators (P.A.P.R.)

   B. The donning, doffing and wearing of partial and/or fully encapsulating chemical protective clothing for extended durations (up to 1 hour). Including impermeable suit, gloves, boots and other accessories used during field exercises (hazards includes in-suit temperature exceeding 100 Fahrenheit and humidity of 100%). In-suit time of 30 minutes in high heat conditions could result in rapid fluid loss up to 5% of total body weight.

   C Lifting, carrying and wearing equipment in excess of 35 lbs.

_____ _____

Signature ☐ Employer **"or"** Date

_____ _____

Signature ☐ Physician Date

Comments:

_____

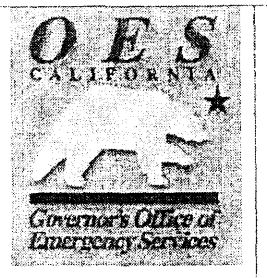
_____

Note: Please *Hand Carry* this note to the first day of class. **You will not be allowed to participate in field exercises without a completed original.** ***You can have your employer or Physician sign this document!***

_____

Instructor Initials

State of California – OES/CSTI www.csti.ca.gov Revised 4/4/04 Form HM 280 (C)



CSTI
Injury & Accident Form *(per CCR Title 19 Safety Policy)*

Haz Mat Outreach Coord
P.O. Box 8123
San Luis Obispo, CA 93403-8123
Phone: (805) 549-3534 Fax: (805) 549-3555

Date:_____ Time of Injury:_____

Course Manager:_____ Type of Course:_____
Name of Injured:_____ Home/Work Phone:_____
Home Address:_____
Work Address:_____

Specific activity the student was performing when event occurred:

_____

_____

How injury occurred. Describe sequence of events. Specify object which directly produced the injury:

_____

_____

Location where event occurred:_____

Action Taken (describe treatment):_____

_____

Name & phone number of person(s) providing treatment:_____

_____

If student was transported to hospital give name, address, & phone number of hospital/physician_____

_____

Name and phone number of witnesses:_____

_____

Did the course manager contact the CSTI Haz Mat Section Chief? Yes___ No___
Date and time:_____

Name, title and phone number of person completing this form: _____

_____

Send this form to CSTI within 24 hrs for serious injuries, 10 working days for minor injuries.

CSTI Injury & Accident Form HM-290 (Revised 9/07)

NOTE: Authority cited: Section 8574.20(a), Government Code. Reference: Section 8574.20(b), Government Code.

HISTORY

1. New section filed 7–8–91; operative 8–7–91 (Register 91, No. 46).
2. Amendment of section and forms filed 5–12–94; operative 6–13–94 (Register 94, No. 19).
3. New subsection (a)(6), subsection renumbering, new subsections (a)(13)–(15), new forms HM 170, HM 280, HM280C and HM290 and amendment of NOTE filed 12–18–2007; operative 1–17–2008 (Register 2007, No. 51).

§ 19–2703. Immediate Reporting of a Release or a Threatened Release.

(a) A person shall provide an immediate, verbal report of any release or threatened release of a hazardous material to the administering agency and the Office of Emergency Services* as soon as:

(1) a person has knowledge of the release or threatened release;

(2) notification can be provided without impeding immediate control of the release or threatened release;

(3) notification can be provided without impeding immediate emergency medical measures.

(b) The immediate reporting pursuant to subsection (a) of this section shall include, as a minimum:

(1) the exact location of the release or threatened release;

(2) the name of the person reporting the release or threatened release;

(3) the hazardous materials involved in the release or threatened release;

(4) an estimate of the quantity of hazardous materials involved; and

(5) if known, the potential hazards presented by the hazardous material involved in the release or threatened release;

(c) The immediate reporting pursuant to subsection (a) of this section shall not be required if there is a reasonable belief that the release or threatened release poses no significant present or potential hazard to human health and safety, property, or the environment.

(d) Immediate reporting pursuant to subsection (a) of this section shall be made to the Office of Emergency Services, at telephone number (916) 845–8911 or (800) 852–7550, and to the local administering agency. The administering agency may designate a call to the 911 emergency number as meeting the requirement to call the administering agency.

(e) The notifications in subsection (d) shall constitute compliance with the requirements of subdivision (b) of section 11004 of title 42 of the United States Code (1989) regarding verbal notification of the State Emergency Planning Commission and the Local Emergency Planning Committee.

* For additional guidance on notification procedures, consult the State of California Hazardous Material Incident Contingency Plan (HMICP).

NOTE: Authority: Sections 25503, 25503.1 and 25520, Health and Safety Code. Reference: Sections 25503(b)(4), 25503.1, 25507, 25518 and 25520, Health and Safety Code.

HISTORY

1. Certificate of Compliance as to 1–17–86 order including amendment of subsection (c) transmitted to OAL 5–16–86 and filed 6–16–86 (Register 86, No. 25).
2. Amendment of subsection (d) and new subsection (e) filed 9–20–90; operative 10–20–90 (Register 90, No. 45).
3. Amendment of subsection (d) filed 4–30–96; operative 4–30–96 pursuant to Government Code section 11343.4(d) (Register 96, No. 18).
4. Change without regulatory effect amending subsection (d) filed 3–1–2005 pursuant to section 100, title 1, California Code of Regulations (Register 2005, No. 9).

§ 19–2705. Written Reporting of Emergency Releases.

(a) If required to submit a written emergency release follow–up notice pursuant to 42 U.S.C. section 11004(c) (1989), or as that section may be subsequently amended, a business shall prepare the written emergency release follow–up notice using the form specified in subsection (c) of this section.

(b) A written emergency release follow–up notice prepared pursuant to subsection (a) shall be sent to the Chemical Emergency Planning and Response Commission (CEPRC) at 3650 Schriever Avenue, Mather, CA 95655. This written report shall be sent as soon as practicable following a release, but no later than 30 days from the date of the release.

(c) The following reporting form (with instructions), the 'Emergency Release Follow–up Notice Reporting Form,' shall be used for filing the written emergency release follow–up notice required by subsection (a) of this section. This form may be reproduced, as needed.

EMERGENCY RELEASE FOLLOW-UP NOTICE REPORTING FORM

A

BUSINESS NAME	FACILITY EMERGENCY CONTACT & PHONE NUMBER ( )

B

INCIDENT DATE MO DAY YR	TIME OES NOTIFIED (use 24 hr time)	OES CONTROL NO

C

INCIDENT	CITY/COMMUNITY	COUNTY ZIP

D

CHEMICAL OR TRADE NAME (print or type)	CAS Number

CHECK IF CHEMICAL IS LISTED IN 40 CFR 355, APPENDIX A ☐	CHECK IF RELEASE REQUIRES NOTIFICATION UNDER 42 U.S.C. § 9603(a) ☐

PHYSICAL STATE CONTAINED ☐ SOLID ☐ LIQUID ☐ GAS	PHYSICAL STATE RELEASED ☐ SOLID ☐ LIQUID ☐ GAS	QUANTITY RELEASED

ENVIRONMENTAL CONTAMINATION ☐ AIR ☐ WATER ☐ GROUND ☐ OTHER	TIME OF RELEASE	DURATION OF RELEASE _____ DAYS _____ HOURS _____ MINUTES

E

ACTIONS TAKEN

F

KNOWN OR ANTICIPATED HEALTH EFFECTS (Use the comments section for additional information)

☐ ACUTE OR IMMEDIATE (explain) _____

☐ CHRONIC OR DELAYED (explain) _____

☐ NOT KNOWN (explain) _____

G

ADVICE REGARDING MEDICAL ATTENTION NECESSARY FOR EXPOSED INDIVIDUALS

H

COMMENTS INDICATE SECTION (A–G) AND ITEM WITH COMMENTS OR ADDITIONAL INFORMATION

I

CERTIFICATION: I hereby certify under penalty of law that I have personally examined and I am familiar with the information submitted and believe the submitted information is true, accurate, and complete.

REPORTING FACILITY REPRESENTATIVE (print or type) _____

SIGNATURE OF REPORTING FACILITY REPRESENTATIVE _____ DATE _____

[The next page is 229.]

EMERGENCY RELEASE FOLLOW–UP NOTICE REPORTING FORM INSTRUCTIONS

GENERAL INFORMATION:

Chapter 6.95 of Division 20 of the California Health and Safety Code requires that written emergency release follow–up notices prepared pursuant to 42 U.S.C. § 11004, be submitted using this reporting form. Non–permitted releases of reportable quantities of Extremely Hazardous Substances (listed in 40 CFR 355, appendix A) or of chemicals that require release reporting under section 103(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [42 U.S.C. § 9603(a)] must be reported on the form, as soon as practicable, but no later than 30 days, following a release. The written follow–up report is required in addition to the verbal notification.

BASIC INSTRUCTIONS:

- The form, when filled out, reports follow–up information required by 42 U.S.C § 11004. Ensure that all information requested by the form is provided as completely as possible.
- If the incident involves reportable releases of more than one chemical, prepare one report form for each chemical released.
- If the incident involves a series of separate releases of chemical(s) at different times, the releases should be reported on separate reporting forms.

SPECIFIC INSTRUCTIONS:

Block A: Enter the name of the business and the name and phone number of a contact person who can provide detailed facility information concerning the release.

Block B: Enter the date of the incident and the time that verbal notification was made to OES. The OES control number is provided to the caller by OES at the time verbal notification is made. Enter this control number in the space provided.

Block C: Provide information pertaining to the location where the release occurred. Include the street address, the city or community, the county and the zip code.

Block D: Provide information concerning the specific chemical that was released. Include the chemical or trade name and the Chemical Abstract Service (CAS) number. Check all categories that apply. Provide best available information on quantity, time and duration of the release.

Block E: Indicate all actions taken to respond to and contain the release as specified in 42 U.S.C. § 11004(c).

Block F: Check the categories that apply to the health effects that occurred or could result from the release. Provide an explanation or description of the effects in the space provided. Use Block H for additional comments/information if necessary to meet requirements specified in 42 U.S.C. § 11004(c).

Block G: Include information on the type of medical attention required for exposure to the chemical released. Indicate when and how this information was made available to individuals exposed and to medical personnel, if appropriate for the incident, as specified in 42 U.S.C. § 11004(c).

Block H: List any additional pertinent information.

Block I: Print or type the name of the facility representative submitting the report. Include the official signature and the date that the form was prepared.

MAIL THE COMPLETED REPORT TO:

Chemical Emergency Planning and Response Commission (CEPRC)
Local Emergency Planning Committee (LEPC)
Attn: Section 304 Reports
3650 Schriever Avenue
Mather, CA 95655

NOTE: Authority cited: Sections 25503, 25503.1 and 25507.1, Health and Safety Code. Reference: Sections 25503(b)(4), 25503.1, 25507.1, 25518 and 25520, Health and Safety Code.

HISTORY:

1. New section filed 9–20–90; operative 10–20–90 (Register 90, No. 45).
2. Change without regulatory effect amending subsection (b) and Form filed 3–1–2005 pursuant to section 100, title 1, California Code of Regulations (Register 2005, No. 9).

§ 19–2720. Proposed Area Plans.

The proposed area plan, as required by Section 25503(d) of the Health and Safety Code, shall include:

(a) a description of the extent to which the administering agency has met the requirements of this Article, and a schedule for implementing the final area plan, by December 29, 1987, to include the provisions of Sections 2722–2736 of this Article;

(b) provisions for integrating, in the final area plan, information from business plans submitted by handlers within the jurisdiction of an administering agency;

(c) protocols for responses to pesticide drift exposure incidents; and

(d) a form providing information on the elements within the area plan, substantially equivalent to the following optional model reporting form for area plans.

NOTE: Authority cited: Sections 25503 and 25517.5, Health and Safety Code; and Section 12997.7, Food and Agricultural Code. Reference: Section 25503, Health and Safety Code; and Section 12997.7, Food and Agricultural Code.

HISTORY

1. New section filed 7–30–86; operative 8–29–86 (Register 86, No. 31).
2. Amendment of subsections (a) and (b) and new subsection (c) filed 9–12–86 as an emergency; operative 9–12–86 (Register 86, No. 37). A Certificate of Compliance must be transmitted no later than 1–12–87 or emergency language will be repealed by operation of law (Gov. C. 11346.1).
3. Certificate of Compliance transmitted to OAL 1–7–87 and filed 2–6–87 (Register 87, No. 6).
4. Amendment of subsection (a) filed 9–17–87 as an emergency; operative 9–17–87 (Register 87, No. 38). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 1–15–88.
5. Reinstatement of subsection (a) as it existed prior to emergency amendment filed 9–17–87 pursuant to Government Code Section 11346.1(f) (Register 89, No. 51).
6. Amendment of subsection (b), new subsection (c), subsection relettering and amendment of NOTE filed 4–23–2008; operative 5–23–2008 (Register 2008, No. 17).

OPTIONAL MODEL REPORTING FORM - AREA PLAN

CHECKLIST for AREA PLAN ELEMENT and reference section	ELEMENT ATTACHED	ELEMENT NOT PROVIDED, JUSTIFICATION ATTACHED	PROPOSED DATE FOR COMPLETION
§ 2722-EMERGENCY RESPONSE PROCEDURES			
Approach, Recognition & Evaluation			
Personnel Monitoring & Decontamination			
Equipment Monitoring & Decontamination			
§2723 - PREEMERGENCY PLANNING			
Pre-Incident Site Surveys			
Planning & Coordination			
Emergency Funding Access			
Disposal Facility Access			
Emergency Response Contractor Access			
Integrated Response Management System			
§2724-NOTIFICATION & COORDINATION			
Notification & Coordination			
Emergency Communications			
Responsibility Matrix			
OES Notification			
§2725 - TRAINING			
Emergency Response Personnel Training			
Training Documentation			
Training Exercises			
§2726-PUBLIC SAFETY & INFORMATION			
Site Perimeter Security			
Safety Procedure Information			
Information Release Responsibility			
Medical Notification			
Evacuation Plans			
§2727 - SUPPLIES & EQUIPMENT			
Listing & Description			
Testing & Maintenance			
§2728-INCIDENT CRITIQUE & FOLLOWUP			

§ 19–2724. Notification and Coordination.

Area plans shall include, but not be limited to:

(a) provisions for notification of, and coordination with, emergency response personnel, such as, but not limited to, law enforcement, fire service, medical and public health services, poison control centers, hospitals, and resources for the evacuation, reception and care of evacuated persons;

(b) identification and utilization of alternative forms of emergency communications (such as amateur radio services), in the event of a loss of primary communications;

(c) a responsibility matrix or listing of specific emergency responsibilities of responding organizations. This matrix or listing shall be developed in coordination with the listed responding organizations;

(d) provisions for notification to the Office of Emergency Services of all reports received pursuant to Article 2 of this subchapter. These notifications shall be submitted, at least monthly, on forms specified by the Office of Emergency Services; and

(e) procedures, developed in consultation with the Local Health Officer, to ensure access to health care within 24 hours of an exposure resulting from a pesticide drift exposure incident and up to a week after the incident.

NOTE: Authority cited: Section 25503, Health and Safety Code; and Section 12997.7(b)(5), Food and Agricultural Code. Reference: Section 25503, Health and Safety Code; and Section 12997.7, Food and Agricultural Code.

HISTORY

1. Editorial renumbering of former Section 2724 to Section 2722 and Section 2728 to Section 2724 (Register 86, No. 37).
2. Amendment of subsections (b) and (c) and addition of subsection (d) filed as an emergency 9–12–86, operative 9–12–86, making the following changes-
   Subsection (b) deleted "and" at end of subsection;
   Subsection (c) added "and" at end of subsection;
   New subsection (d) was added and read as follows:
   "(d) provisions for notification to the Office of Emergency Services of all reports received pursuant to Article 2 of this subchapter. These notifications shall be submitted, at least monthly, on forms specified by the Office of Emergency Services."
   Certificate of Compliance must be transmitted no later than 1–12–87, or emergency language will be repealed by operation of law (Gov. C. § 11346.1); (Register 86, No. 37).
3. Certificate of Compliance transmitted to OAL 1–7–87 and filed 2–6–87 (Register 87, No. 6).
4. Amendment of subsections (c) and (d), new subsection (e) and amendment of NOTE filed 4–23–2008; operative 5–23–2008 (Register 2008, No. 17).

§ 19–2726. Public Safety and Information.

Area plans shall include, but not be limited to:

(a) site perimeter security procedures for use during a release or threatened release of hazardous material;

(b) provisions for informing business personnel and the affected public of safety procedures to follow during a release or threatened release of a hazardous material;

(c) procedures, developed in consultation with the County Agricultural Commissioner, to notify residents of a pesticide drift exposure incident and a procedure to assist in the coordination of an evacuation, if deemed necessary by emergency response personnel;

(d) procedures to identify all languages known to be spoken in the administering agency's county or city, as the case may be, and ensure that any individual is able to access services in their native language as required by Section 11135 of the Government Code. The area plan will outline what these services are and how they will be provided in the languages identified;

(e) designation of responsibility for the coordinated release of safety information to the public and to the local Emergency Broadcast System;

(f) provisions for informing medical and health facilities of the nature of the incident and the substance(s) involved in an incident; and

(g) provisions for evacuation plans. Evacuation planning shall provide for the following elements:

(1) determination of the necessity for evacuation;

(2) centralized coordination of information with local law, fire, public health, medical, and other emergency response agencies;

(3) timely notification of the affected public, including release of messages prepared pursuant to subsections (e) and (f) of this section;

(4) properties of hazardous materials, such as quantity, concentration, vapor pressure, density, and potential health effects;

(5) possible release scenarios;

(6) facility characteristics, topography, meteorology, and demography of potentially affected areas;

(7) ingress and egress routes and alternatives;

(8) location of medical resources trained and equipped for hazardous material response;

(9) mass–care facilities, reception areas, and sheltering; and

(10) procedures for post–emergency period population recovery.

NOTE: Authority cited: Sections 25503 and 25517.5, Health and Safety Code; and Section 12997.7(b)(2) and 12997.7(b)(4), Food and Agricultural Code. Reference: Section 25503, Health and Safety Code; and Section 12997.7, Food and Agricultural Code.

HISTORY

1. Editorial renumbering of former Section 2726 to Section 2723 and Section 2732 to Section 2726 (Register 86, No. 37).
2. Amendment of subsection (e) filed as an emergency 9–12–86, operative 9–12–86, making the following changes:
Subsection (e): substituted "a determination of the businesses that, because of their size and nature, should participate in evacuation planning. Factors to be considered in planning for evacuation, shall include, but not be limited to:" for "provisions for evacuation plans. Evacuation planning shall provide for the following elements:"
A new subsection (e)(1) was added and read as follows: "(1) determination of the necessity for evacuation:"
Existing subsections (e)(1) through (9) were redesignated as consecutive subsections (e)(2) through (10);
Certificate of Compliance must be transmitted no later than 1–12–87, or emergency language will be repealed by operation of law (Gov. C. § 11346.1); (Register 86, No. 37).
3. Certificate of Compliance transmitted to OAL 1–7–87 and filed 2–6–87 (Register 87, No. 6).
4. New subsections (c) and (d), subsection relettering, amendment of newly designated subsection (g)(3) and amendment of NOTE filed 4–23–2008; operative 5–23–2008 (Register 2008, No. 17).

§ 19–2729. Purpose.

(a) This article provides minimum standards for the hazardous materials business plan. A hazardous materials business plan includes the following:

(1) Hazardous material inventory in accordance with Section 2729.2–2729.7;

(2) Emergency response plans and procedures in accordance with Section 2731; and

(3) Training program information in accordance with Section 2732.

NOTE: Authority cited: Section 25503, Health and Safety Code. Reference: Section 25504, Health and Safety Code.

HISTORY

1. Editorial renumbering of former section 2752 to section 2729 (Register 86, No. 37).
2. Amendment of subsections (a) and (b) filed as an emergency 9–12–86; operative 9–12–86, making the following changes:
Subsection (a)(1) added "in quantities equal to or higher than quantities specified in section 25503.5(a) of the Health and Safety Code"; after "handled";
Subsection (a)(2) deleted "handled" and added "handled in quantities equal to or greater than quantities specified in section 25503.5(a) of the Health and Safety Code"; after "constituents";
Subsection (a)(3) added "or mixture containing a hazardous material" after "hazardous material"; and deleted "and the total amount handled" after "handled at any one time";
Subsection (b) spelling corrected ("separate");
Certificate of Compliance must be transmitted no later than 1–12–87, or section will be repealed by operation of law (Gov. C. 11346.1); (Register 86, No. 37).
3. Certificate of Compliance transmitted to OAL 1–7–87 and filed 2–6–87 (Register 87, No. 6).
4. Amendment filed 9–20–90; operative 10–20–90 (Register 90, No. 45).
5. Editorial correction deleting duplicate HISTORIES 3 and 4 (Register 96, No. 18)
6. Repealer and new section and NOTE filed 4–30–96; operative 4–30–96 pursuant to Government Code section 11343.4(d) (Register 96, No. 18).
7. *Repealer and new section filed 1–8–99 as an emergency*; operative 1–8–99 (Register 99, No. 2). A Certificate of Compliance must be transmitted to OAL by 5–10–99 or emergency language will be repealed by operation of law on the following day.
8. Repealer and new section refiled 5–7–99 as an emergency; operative 5–8–99 (Register 99, No. 19). A Certificate of Compliance must be transmitted to OAL by 9–7–99 or emergency language will be repealed by operation of law on the following day.
9. Reinstatement of section as it existed prior to emergency action by operation of Government Code section 11346.1 (Register 99, No. 37).
10. Repealer and new section filed 9–8–99 as an emergency; operative 9–8–99 (Register 99, No. 37). A Certificate of Compliance must be transmitted to OAL by 1–6–2000 or emergency language will be repealed by operation of law on the following day.
11. Certificate of Compliance as to 9–8–99 order transmitted to OAL 1–6–2000 and filed 2–17–2000 (Register 2000, No. 7).

§ 19–2730. Optional Model Inventory Reporting Form.

NOTE: Authority cited: Section 25503.3, Health and Safety Code. Reference: Section 25503.3, Health and Safety Code.

HISTORY

1. Editorial renumbering of former section 2730 to section 2725 and section 2754 to section 2730 (Register 86, No. 37).
2. Amendment of Optional Model Reporting Form: Hazardous Materials Inventory sections H and I and Instructions–Hazardous Material Inventory Reporting Form, subsections H(2), (3) and (4) filed as an emergency 9–12–86; operative 9–12–86 making the following changes:
Section H: deleted "Quantities" and "Total Amount in Year";
Section I: Spelling corrected ("Separate"); Added "if required by the appropriate administering agency" after "facility";
Subsection H(2): added "and" after "names";
Subsection H(3): deleted "and" after "time";
Subsection H(4): deleted "(4) total amount handled over the year";
Certificate of Compliance must be transmitted no later than 1–12–87, or emergency language will be repealed by operation of law (Gov. C. 11346.1) (Register 86, No. 37).
3. Certificate of Compliance including amendment transmitted to OAL 1–7–87 and filed 2–6–87 (Register 87, No. 6).
4. Amendment filed 9–20–90; operative 10–20–90 (Register 90, No. 45).
5. Editorial correction of printing error deleting duplicate NOTE and HISTORY following forms (Register 91, No. 32).
6. Repealer and new section and NOTE, repealer of form and new Appendices A–I filed 4–30–96; operative 4–30–96 pursuant to Government Code section 11343.4(d) (Register 96, No. 18).
7. Repealer of section and appendices A–I filed 1–8–99 as an emergency; operative 1–8–99 (Register 99, No. 2). A Certificate of Compliance must be transmitted to OAL by 5–10–99 or emergency language will be repealed by operation of law on the following day.
8. Repealer of section and appendices A–I refiled 5–7–99 as an emergency; operative 5–8–99 (Register 99, No. 19). A Certificate of Compliance must be transmitted to OAL by 9–7–99 or emergency language will be repealed by operation of law on the following day.
9. Reinstatement of section as it existed prior to emergency action by operation of Government Code section 11346.1 (Register 99, No. 37).
10. Repealer of section and appendices A–I filed 9–8–99 as an emergency; operative 9–8–99 (Register 99, No. 37). A Certificate of Compliance must be transmitted to OAL by 1–6–2000 or emergency language will be repealed by operation of law on the following day.
11. Certificate of Compliance as to 9–8–99 order transmitted to OAL 1–6–2000 and filed 2–17–2000 (Register 2000, No. 7).

§ 19–2731. Emergency Response Plans and Procedures.

The business plan shall include the following emergency response procedures for a release or threatened release of hazardous materials, scaled appropriately for the size and nature of the business, the nature of the damage potential of the hazardous materials handled, and the proximity of the business to residential areas and other populations:

(a) immediate notification of:

(1) local emergency response personnel;

(2) the administering agency and the State Office of Emergency Services pursuant to article 2 of this subchapter;

(3) persons within the facility who are necessary to respond to an incident;

(b) identification of local emergency medical assistance appropriate for potential accident scenarios;

(c) mitigation, prevention, or abatement of hazards to persons, property, or the environment;

(d) immediate notification and evacuation of the facility; and

(e) identification of areas of the facility and mechanical or other systems that require immediate inspection or isolation because of their vulnerability to earthquake related ground motion.

NOTE: Authority cited: Sections 25503 and 25517.5, Health and Safety Code. Reference: Sections 25503(b)(2), 25504(b) and 25507, Health and Safety Code.

HISTORY

1. Editorial renumbering of former section 2756 to section 2731 (Register 86, No. 37).
2. Amendment of initial paragraph, subsection (d) and reference citation filed as an emergency 9–12–86, operative 9–12–86 making the following changes:
In initial paragraph added "and nature" after "size"; "damage potential of the" after "nature of the"; and "and the proximity of the business to residential areas and other populations:" after "materials handled,";
Subsection (d) added "the" after "evacuation of" and deleted "employees and the affected public, pursuant to the determinations made under section 2726 (c) of article 3 of this subchapter" after "facility";
Certificate of Compliance must be transmitted no later than 1–12–87, or emergency language will be repealed by operation of law (Gov. C. 11346.1); (Register 86, No. 37).
3. Certificate of Compliance transmitted to OAL 1–7–87 and filed 2–6–87 (Register 87, No. 6).
4. Amendment filed 9–20–90; operative 10–20–90 (Register 90, No. 45).

§ 19–2732. Training.

(a) The business plan shall include a training program which is reasonable and appropriate for the size of the business and the nature of the hazardous materials handled. The training program shall take into consideration the responsibilities of the employees to be trained. The training program shall, at a minimum, include:

(1) methods for safe handling of hazardous materials;

(2) procedures for coordination with local emergency response organizations;

(3) use of emergency response equipment and supplies under the control of the handler, and

(4) all procedures required by Section 2731 of this Article.

(b) The business plan shall include provisions for ensuring that appropriate personnel receive initial and refresher training.

NOTE: Authority cited: Section 25503, Health and Safety Code. Reference: Section 25504(c), Health and Safety Code.

HISTORY

1. New section filed 7–30–86; effective thirtieth day thereafter (Register 86, No. 31).
2. Editorial renumbering of former Section 2732 to Section 2726 and Section 2758 to Section 2732 (Register 86, No. 37).
3. Amendment of subsection (a)(4) filed 2–17–2000; operative 2–17–2000 (Register 2000, No. 7).

§ 19–2733. Applicability.

Each building which is subject to the requirements of Section 25503.5(b)(5)(B) of Chapter 6.95 of the Health and Safety Code, and in which any pesticides, petroleum fuels or oils, or fertilizers are stored shall be conspicuously posted with warning signs as described in Section 2734 of this Article.

NOTE: Authority cited: Sections 25503, 25503.5, and 25517.5, Health and Safety Code. Reference: Sections 25503, 25503.5, and 25504, Health and Safety Code. (New section filed as an emergency 9–12–86, operative 9–12–86; Certificate of Compliance must be transmitted no later than 1–12–87, or section will be repealed by operation of law (Gov. C. § 11346.1(g)); Register 86, No. 37).

HISTORY

1. Certificate of Compliance including amendment transmitted to OAL 1–7–87 and filed 2–6–87 (Register 87, No. 6).

§ 19–2734. Warning Signs.

(a) Warning signs shall be conspicuous and visible from any direction of probable approach.

(b) Each sign shall be of such a size that it is readable from a distance of 25 feet and shall be substantially as follows:

DANGER
HAZARDOUS MATERIAL STORAGE AREA
(in this space—list the hazardous material
stored within, by category–
pesticides, petroleum fuels, oils, or fertilizers)

ALL UNAUTHORIZED PERSONS—KEEP OUT
IN AN EMERGENCY, CONTACT:
(in this space—list the name and phone number
of an emergency contact person)

(c) The sign shall be repeated in an appropriate language other than English when it may reasonably be anticipated that persons who do not understand the English language may enter the posted building.

NOTE: Authority cited: Sections 25503, 25503.5, and 25517.5, Health and Safety Code. Reference: Sections 25503, 25503.5, and 25504, Health and Safety Code. (New section filed as an emergency 9–12–86, operative 9–12–86; Certificate of Compliance must be transmitted no later than 1–12–87, or section will be repealed by operation of law (Gov. C. § 11346.1(g)); Register 86, No. 37).

HISTORY

1. Certificate of Compliance including amendment transmitted to OAL 1–7–87 and filed 2–6–87 (Register 87, No. 6).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 20. State Energy Resources Conservation and Development Commission

(Title 20)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 20. State Energy Resources Conservation and Development Commission

TABLE OF CONTENTS

Page

Division 20. State Energy Resources Conservation and Development Commission 249

§ 20–1551. Application and Scope.
§ 20–1552. Definitions.
§ 20–1553. Urea Formaldehyde Foam Field Applied.
§ 20–1554. Approval of Testing Laboratories.
§ 20–1555. Certification.
§ 20–1557. Identification.
§ 20–1558. Inspections.
§ 20–1559. Performance Tests.
§ 20–1562. Release of Information.
§ 20–1563. Liability.
§ 20–1564. Insulating Existing Buildings.
§ 20–1565. Interpretation.

Division 20. State Energy Resources Conservation and Development Commission (Title 20)

§ 20–1551. Application and Scope.

The provisions of this article shall apply only to urea formaldehyde foam (field applied) and the insulation levels required when insulation is installed in existing buildings.

NOTE: Authority cited: Sections 25910, 25911, Public Resources Code. Reference: Sections 25910, 25911, Public Resources Code.

HISTORY

1. Repealer of Article 3 (Sections 1551–1561) filed 8–11–78; effective thirtieth day thereafter (Register 78, No. 32). For prior history, see Registers 76, No. 16; 78, Nos. 2 and 26.
2. New Article 3 (Sections 1551–1565) filed 1–16–79; effective thirtieth day thereafter (Register 79, No. 3).
3. Amendment filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).
4. Change without regulatory effect amending section and NOTE filed 4–10–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 15).

§ 20–1552. Definitions.

For purposes of this article, the following definitions shall apply:

(a) "ANSI" means the American National Standards Institute.

(b) "ASTM" means the American Society for Testing and Materials.

(c) "Insulating material" or "insulation" means any material listed in Section 1551(b) of this article and placed within or contiguous to a wall, ceiling, roof, or floor of a room or building, or contiguous to the surface of any appliance or its intake or outtake mechanism, for the purpose of reducing heat transfer or reducing adverse temperature fluctuations of the building room or appliance.

(d) "Manufacturer" means any person who either:

(1) produces insulating material in the final composition either for use in the form sold or to be further dimensionally modified; or

(2) in the case of polyurethane, polyisocyanurate and urea formaldehyde foam formed at the installation site, produces the primary components of the material.

"Manufacturer" shall not include any building contractor or any other person whose sole activity is to install insulation at the installation site.

(e) "Urea formaldehyde foam" means a cellular plastic insulation material generated in a continuous stream by mixing the components which are a urea formaldehyde resin, air and a foaming agent.

NOTE: Authority cited: Sections 25910, 25911, Public Resources Code. Reference: Sections 25910, 25911, Public Resources Code.

HISTORY

1. Amendment filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).
2. Change without regulatory effect amending subsections (a), (d)–(f) and (i)–(n), relettering subsections and amending NOTE filed 4–10–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 15).

§ 20–1553. Urea Formaldehyde Foam Field Applied.

(a) Limitation on Sale. Urea formaldehyde foam is unsafe for use as insulation. Sale within the State of California of urea formaldehyde foam insulation is prohibited.

(b) Exemption. Notwithstanding any other provision of this article, a manufacturer of the primary components of urea formaldehyde foam insulation may apply for certification as provided in Section 1555 of this article. Such certification statement shall indicate compliance with the following standards:

(1) Composition. The material shall consist of cellular plastic generated in a continuous stream by mixing the components which are a urea formaldehyde resin, air, and a foaming agent. The material shall be suitable for filling closed cavities through small holes and suitable also for filling open cavities by trowelling during foaming prior to enclosure.

(2) Thermal Performance. The effective thermal performance, incorporating a derating value, shall be determined according to the method described in 42 Fed. Reg. pages 55143–55148.

(3) Resistance to Combustion. Surface burning characteristics shall be determined according to the ANSI/ASTM E84–79, and shall not exceed the following values:

Flame spread	25
Smoke developed	450

Test specimens shall be aged for 45 days at $70^{o} \pm 5^{\circ}$ and 35 to 40 percent relative humidity before testing.

(4) Free Formaldehyde Content of Dry Foam. The free formaldehyde content of the dry foam shall be less than 0.01 percent formaldehyde by weight when tested as specified in paragraph (f)(8), published in 45 Fed. Reg. page 63801, except that the specimens to be tested shall also be aged for 56 days at $24 \pm 5°C$ ($75 \pm 10°F$) and 50 ± 10 percent relative humidity in an uncovered beaker.

(5) Corrosiveness. The material shall be tested and meet the criteria for corrosiveness as specified in 45 Fed. Reg. pages 63786–63810.

(6) Density. The material shall be tested and meet the criteria for density as specified in 45 Fed. Reg. pages 63786–63810.

(7) Shrinkage. The material shall be tested and meet the criteria for shrinkage as specified in 45 Fed. Reg. pages 63786–63810, except that the material shall not shrink more than 2.0 percent in any direction.

(8) Volume Resistivity. The material shall be tested and meet the criteria for volume resistivity as specified in 45 Fed. Reg. 63786–63810.

(9) Identification. Resin and foaming agent containers shall be marked with conditions of proper storage and the derated R–value and shrinkage of the prepared foam as certified by the manufacturer.

(10) Safety Information. Installers of urea formaldehyde foam insulation shall present the following safety notice to the purchasers of the foam prior to the signing of the contract for installation. The notice shall be printed in a minimum of 8–point type size. One copy of the notice signed by the purchaser shall be immediately given to the purchaser, one copy shall be retained by the installer, and one copy shall be mailed by the installer to the Executive Director of the Energy Commission within 48 hours after installation of the insulation is completed.

Manufacturers shall make all sales of urea foam insulation components expressly subject to the application restrictions listed in the notice described in the following figure ("Urea Formaldehyde Foam Insulation Safety Notice").

UREA FORMALDEHYE FORM INSULATION SAFETY NOTICE

The Federal Panel on Formaldehyde has concluded that formaldehyde should be presumed to pose a carcinogenic (cancer) risk for humans. Formaldehyde gas may also cause eye, nose, and throat irritation, coughing, shortness of breath, skin irritation, nausea, headaches, and dizziness. People with respiratory problems or allergies may suffer more serious reactions, especially people allergic to formaldehyde. Women who are pregnant or planning to become pregnant should not be exposed to this product.

The symptoms may appear immediately, or not until months after installation.

This product may release formaldehyde gas into your home or building over a long period of time. In some instances the formaldehyde gas cannot be controlled by ventilation or other means. Application of this product is restricted to exterior sidewalls in both residential and commercial/industrial buildings. A four mil thickness plastic polyethylene vapor barrier, or equivalent plastic sheeting vapor barrier, shall be installed between the urea formaldehyde foam insulation and the interior space of the home or building in all applications.

If you have health concerns, call your doctor. Also, call the installer or manufacturer of the material.

(PLEASE PRINT OR WRITE LEGIBLY)

PURCHASER NAME OR NAMES _____

PURCHASER ADDRESS _____ CITY _____ ZIP _____

PURCHASERS PHONE NUMBER Home ( ) _____ Work ( ) _____

LOCATION OF INSTALLATION IF DIFFERENT FROM ABOVE

LOCATION ADDRESS _____ CITY _____ ZIP _____

The Purchaser acknowledges he or she has read and understands this notice.

Signed X _____ Date _____

Signed X _____ Date _____

THE FOLLOWING INFORMATION IS TO BE COMPLETED BY THE INSTALLING CONTRACTOR

CONTRACTOR'S NAME _____

CONTRACTOR'S ADDRESS _____ CITY _____ ZIP _____

CONTRACTOR'S STATE LICENSE NUMBER _____

NAME OF MANUFACTURER _____

MANUFACTURER'S ADDRESS _____ CITY _____ ZIP _____

MANUFACTURER'S PHONE NUMBER ( ) _____

TEMPERATURE OF OUTSIDE AIR AT START OF INSTALLATION _____ °F

	BATCH NUMBER	EXPIRATION DATE	TEMPERATURE (START OF INSTALLATION)
RESIN	_____	_____	_____ °F
FOAMING AGENT	_____	_____	_____ °F

STEPS THE INSTALLING CONTRACTOR MUST FOLLOW

1. The installing contractor is responsible for mailing this completed notice to the following address within 48 hours after completion of installation. Mail one copy to:

EXECUTIVE DIRECTOR, MS #39
CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO, CA 95814

2. Give one copy to the Purchaser.
3. The installing contractor shall keep one copy of this completed notice for a period of not less than three years.

(c) Severability of Provisions. If any provision of Section 1553(a) or 1553(b), or the application thereof to any person or circumstances, is held invalid, the remaining provisions, or the application of such provisions to other persons or circumstances, shall not be affected thereby.

NOTE: Authority cited: Section 25911, Public Resources Code. Reference: Section 25911, Public Resources Code.

HISTORY

1. Amendment of subsection (a)(9) filed 4–2–79; effective thirtieth day thereafter (Register 79, No. 14).
2. Editorial correction of subsection designations with subsection (l)(4) (Register 79, No. 17).
3. Amendment filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).
4. New subsection (m)(2)(J) filed 9–11–81; effective thirtieth day thereafter (Register 81, No. 37).
5. Editorial correction of subsection (k)(3)(B) filed 1–13–82 (Register 82, No. 3).
6. Amendment of subsections (a)(5) and (a)(8) filed 5–5–82; effective thirtieth day thereafter (Register 82, No. 19).
7. Editorial correction of subsection (m) printing error (Register 82, No. 44).
8. Change without regulatory effect amending section heading, section and NOTE filed 4–10–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 15).

§ 20–1554. Approval of Testing Laboratories.

NOTE: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 25915(a) and 25921, Public Resources Code.

HISTORY

1. Amendment filed 8–10–81, designated effective 9–22–81 (Register 81, No. 33).
2. Change without regulatory effect repealing section filed 4–10–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 15).

§ 20–1555. Certification.

NOTE: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 25921 and 25921.1, Public Resources Code.

HISTORY

1. Amendment of subsections (a), (b)(4), (b)(6) and (f) filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).
2. Change without regulatory effect repealing section filed 4–10–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 15).

§ 20–1557. Identification.

NOTE: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25921, Public Resources Code.

HISTORY

1. Amendment of subsections (a) and (c) filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).
2. Change without regulatory effect repealing section filed 4–10–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 15).
3. Change without regulatory effect deleting inadvertently retained text filed 6–3–97 pursuant to section 100, title 1, California Code of Regulations (Register 97, No. 23).

§ 20–1558. Inspections.

NOTE: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25926, Public Resources Code.

HISTORY

1. Amendment filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).
2. Change without regulatory effect repealing section filed 4–10–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 15).
3. Change without regulatory effect deleting inadvertently retained text filed 6–3–97 pursuant to section 100, title 1, California Code of Regulations (Register 97, No. 23).

§ 20–1559. Performance Tests.

NOTE: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25926, Public Resources Code.

HISTORY

1. Amendment filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).
2. Change without regulatory effect repealing section filed 4–10–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 15).
3. Change without regulatory effect deleting inadvertently retained text filed 6–3–97 pursuant to section 100, title 1, California Code of Regulations (Register 97, No. 23).

§ 20–1562. Release of Information.

NOTE: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 25223 and 25921.1, Public Resources Code.

HISTORY

1. Amendment filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).
2. Change without regulatory effect repealing section filed 4–10–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 15).
3. Editorial correction effecting repeal of regulatory text pursuant to 4–10–96 order (Register 97, No. 24).

§ 20–1563. Liability.

NOTE: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 25926 and 25931, Public Resources Code.

HISTORY

1. Amendment filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).
2. Change without regulatory effect repealing section filed 4–10–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 15).

§ 20–1564. Insulating Existing Buildings.

(a) On or after March 25, 1982, if insulating material is installed in an existing building, in any of the applications specified in California Administrative Code, Title 24, Section 2–5305, the installing contractor shall certify that the amount of insulation installed meets or exceeds the requirements of Section 2–5305 for that application. Such certification shall be made on completion of the installation by posting in a conspicuous location a certificate signed under penalty of perjury. The certificate shall state the manufacturer's name and material identification, the thermal resistance (R–value) of the newly installed insulation, the estimated R–value of the original insulation, the total R–value, and (in application of loose fill insulation) the minimum contractor installed weight per square foot. This installed weight per square foot shall conform with the manufacturer's installed design density per square foot at the manufacturer's labeled R–value.

(b) Water Heater Insulation Kits. No water heater insulation kit shall be sold, on or after March 25, 1982, unless it has a thermal resistance of at least R–6 and is so identified.

Each water heater insulation kit sold shall include instructions which are equivalent to the Department of Energy standard practice for the installation of insulation on gas–fired, oil–fired, and electric resistance water heaters, 44 Fed. Reg. pages 64703–64705.

NOTE: Authority cited: Section 25910, Public Resources Code. Reference: Section 25910, Public Resources Code.

HISTORY

1. Amendment filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).
2. Editorial correction of subsection (a) filed 1–13–82 (Register 82, No. 2).
3. Change without regulatory effect amending NOTE filed 4–10–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 15).

§ 20–1565. Interpretation.

NOTE: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 25920 and 25922, Public Resources Code.

HISTORY

1. Amendment filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).
2. Change without regulatory effect repealing section filed 4–10–96 pursuant to section 100, title 1, California Code of Regulations (Register 96, No. 15).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 21. Department of Transportation

(Title 21)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 21. Department of Transportation

TABLE OF CONTENTS

Page

Division 21. Department of Transportation 253
§ 21-1401.2. Prohibited Vehicles and Loads.
§ 21-1401.4. Evidence of Compliance.

Division 21. Department of Transportation

(Title 21)

§ 21–1401.2. Prohibited Vehicles and Loads.

None of the following will be permitted to operate on any toll bridge under the jurisdiction of the Department:

(a) Any vehicle transporting a weapon of war employing atomic fission or fusion.

(b) Track laying vehicles.

(c) Vehicles with metal tires. (Based on Section 22410 of the California Vehicle Code).

(d) Pushcarts, wheelbarrows and similar vehicles.

(e) Vehicles transporting hazardous materials or combinations thereof, if prohibited by United States Department of Transportation Regulations, as specified and defined in 49 Code of Federal Regulations sections 177.821–177.823, which regulations are incorporated herein by reference.

(f) See Section 1402.1 for prohibitions on the San Francisco–Oakland Bay Bridge.

(g) See Section 1403.1 for prohibition on the San Diego–Coronado Bridge.

(h) Other vehicles which, due to their load or condition, are likely, in the opinion of the Department, to endanger persons or property or to render the use of the bridge unsafe.

NOTE: Authority cited: Section 23334, Vehicle Code. Reference: Sections 23330(d) and 23334, Vehicle Code.

HISTORY

1. Amendment filed 3–5–79 as an emergency; effective upon filing (Register 79, No. 10).
2. Certificate of Compliance filed 7–3–79 (Register 79, No. 27).
3. Renumbering of subsection (g) to subsection (h) and new subsection (g) filed 1–22–80; effective thirtieth day thereafter (Register 80, No. 4).
4. Editorial correction filed 11–19–82 (Register 82, No. 47).

§ 21–1401.4. Evidence of Compliance.

The driver of any commercial vehicle crossing the bridge may be required to produce appropriate documents or otherwise establish that the vehicle and loan under his control are not in violation of the regulations of this subchapter.

NOTE: Authority cited: Section 23334, Vehicle Code. Reference: Sections 23330(d) and 23334, Vehicle Code.

HISTORY

1. Editorial correction renumbering former Section 1401.5 to Section 1401.4 filed 11–19–82 (Register 82, No. 47). For history of former Section 1401.4, see Registers 82, No. 35 and 77, No. 35.

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 21.5. Health and Welfare Agency

(Title 22)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 21.5. Health and Welfare Agency

TABLE OF CONTENTS

Page

Division 21.5. Health and Welfare Agency 255

Division 21.5. Health and Welfare Agency

(Title 22)

§§ 22–12000—22–14000. [Removed]

HISTORY

1. Removal of sections 22–12000—22–14000 from title 26 filed 3–25–96 pursuant to Cal. Code Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 22 (Register 96, No. 13).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 22. Department of Health Services

(Title 22)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 22. Department of Health Services

TABLE OF CONTENTS

Page

Division 22. Department of Health Services 257

§ 22-60301. Definitions.
§ 22-60303. Exceptions.
§ 22-60305. Use of Recycled Water For Impoundments.
§ 22-60315. Design Requirements.
§ 22-60317. Restricted Recreational Impoundment.
§ 22-60319. Landscape Impoundment.
§ 22-60320. Groundwater Recharge.
§ 22-60320.5. Other Methods of Treatment.
§ 22-60321. Sampling and Analysis.
§ 22-60323. Engineering Report.
§ 22-60325. Personnel.
§ 22-60327. Maintenance.
§ 22-60329. Operating Records and Reports.
§ 22-60331. Bypass.
§ 22-60333. Flexibility of Design.
§ 22-60335. Alarms.
§ 22-60337. Power Supply.
§ 22-60339. Primary Treatment.
§ 22-60341. Emergency Storage or Disposal.
§ 22-60343. Primary Treatment.
§ 22-60345. Biological Treatment.
§ 22-60347. Secondary Sedimentation.
§ 22-60349. Coagulation.
§ 22-60351. Filtration.
§ 22-60353. Disinfection.
§ 22-60355. Other Alternatives to Reliability Requirements.
§ 22-60400. Certification.
§ 22-60401. Health and Safety Claim.
§ 22-60402. Independent Laboratory.
§ 22-60403. Manufacturer.
§ 22-60404. Recognized Testing Organization.
§ 22-60405. Testing Requirements.
§ 22-60406. Modification.
§ 22-60407. Certification Period.
§ 22-60410. Certification Application.
§ 22-60415. Certification Renewal.
§ 22-60425. Modification of a Certification.
§ 22-60430. Processing Time.
§ 22-60435. Testing and Testing Protocols.
§ 22-60440. Manufacturer's Testing Protocols.
§ 22-60445. Manufacturer's Test Data.
§ 22-60450. Prior Test Data.
§ 22-60455. Extrapolation of Data.
§ 22-60460. Retesting.
§ 22-60465. Product Labeling.
§ 22-60470. Product Data Sheet.
§ 22-60475. Fees.
§ 22-64201. Definitions.
§ 22-64202. Large Water System Regulatory Fee Determination for the Period of July 1, 1991 Through June 30, 1992.
§ 22-64203. Workload Rating Factors.
§ 22-64204. Wholesale Water Suppliers.
§ 22-64205. Late Payment.
§ 22-64206. Large Water System Reimbursement Fee Determination for the Billing Periods After July 1, 1992.
§ 22-64211. Permit Requirement.
§ 22-64212. Bacteriological Quality Monitoring.
§ 22-64213. Chemical Quality Monitoring.
§ 22-64214. Service Connection Limitation.
§ 22-64215. Water Supply Requirements.
§ 22-64216. Mutual Associations Prohibited.
§ 22-64217. Surface Water Treatment Requirement.
§ 22-64401. Repeat Compliance Period.
§ 22-64403. Responsibility.
§ 22-64411. Definitions.
§ 22-64412. Determination of Persons Served.
§ 22-64413. Initial Effective Dates.
§ 22-64414. Standby Sources.
§ 22-64415. Laboratory and Personnel.
§ 22-64417. Siting Requirements. [Repealed]
§ 22-64419. Agricultural Water Service Exceptions.
§ 22-64421. General Requirements.
§ 22-64422. Routine Sample Siting Plan.
§ 22-64423. Routine Sampling.
§ 22-64423.1. Sample Analysis and Reporting of Results.
§ 22-64424. Repeat Sampling.
§ 22-64425. Sample Invalidation.
§ 22-64426. Significant Rise in Bacterial Count.
§ 22-64426.1. Total Coliform Maximum Contaminant Level (MCL).
§ 22-64427. Sanitary Survey.
§ 22-64430. Best Available Technology (BAT).
§ 22-64431. Maximum Contaminant Levels—Inorganic Chemicals.
§ 22-64433. System Requirements and Exemptions.
§ 22-64435. Maximum Contaminant Levels.
§ 22-64437. Sampling of System Sources.
§ 22-64439. Requirements.
§ 22-64441. Natural Radioactivity.
§ 22-64443. MCLs and Monitoring — Beta Particle and Photon Radioactivity.
§ 22-64444. Maximum Contaminant Levels—Organic Chemicals.
§ 22-64444.5. Maximum Contaminant Levels.
§ 22-64445. Initial Sampling—Organic Chemicals.
§ 22-64445.1. Repeat Monitoring and Compliance—Organic Chemicals.
§ 22-64445.2. Sampling of Treated Water Sources.
§ 22-64447. Best Available Technology (BAT)—Microbiological Contaminants.
§ 22-64449.1. Applicability of Requirements.
§ 22-64449.2. Waivers for Secondary MCL Compliance.
§ 22-64449.3. Repeat Sampling.
§ 22-64449.4. Use of Sources that Exceed a Secondary MCL and Do Not Have a Waiver.
§ 22-64449.5. Distribution System Physical Water Quality.
§ 22-64449.7. Exemptions.
§ 22-64451. Reporting Requirements.
§ 22-64453. Record Maintenance.
§ 22-64461. Significant Rise in Bacterial Count Notification.
§ 22-64463. General Public Notification Requirements.
§ 22-64463.1. Tier 1 Public Notice.
§ 22-64463.2. Reporting and Notification of Unregulated Organic Chemicals Monitoring.
§ 22-64464.1. Notification Methods.

§ 22-64464.3. Public Notification—Water Quality Failure.
§ 22-64464.6. Public Notification—Procedural Failure.
§ 22-64465. Public Notice Content and Format.
Appendix 64465-A. Health Effects Language Microbiological Contaminants. 280
Appendix 64465-B. Health Effects Language Surface Water Treatment 280
Appendix 64465-C. Health Effects Language Radioactive Contaminants. 280
Appendix 64465-D. Health Effects Language Inorganic Contaminants. 280
Appendix 64465-E. Health Effects Language Volatile Organic Contaminants. 281
Appendix 64465-F. Health Effects Language Synthetic Organic Contaminants. 282
Appendix 64465-G. Health Effects Language Disinfection Byproducts, Byproduct Precursors, and Disinfectant Residuals 282.1
Appendix 64465-H. Health Effects Language Other Treatment Techniques 282.1
§ 22-64466. Special Notice for Unregulated Contaminant Monitoring Results.
§ 22-64467. Notice.
§ 22-64467.5. Wholesaler.
§ 22-64468. Health Effects Language.
§ 22-64469. Reporting Requirements.
§ 22-64470. Recordkeeping.
§ 22-64471. Applicability.
§ 22-64473. Maximum Contaminant Levels.
§ 22-64475. Distribution System Physical Water Quality.
§ 22-64481. Content of the Consumer Confidence Report.
Appendix 64481-A. Typical Origins of Contaminants with Primary MCLs 282.5
Appendix 64481-B. Typical Origins of Contaminants with Secondary MCLs 282.6
§ 22-64483. Consumer Confidence Report Delivery and Recordkeeping.
§ 22-64485. Conditions of Certification.
§ 22-64487. Certificates.
§ 22-64489. Renewal of Certification.
§ 22-64491. Revocation or Involuntary Suspension of Certificate.
§ 22-64493. Appeal.
§ 22-64495. Recertification upon Change of Status.
§ 22-64497. Laboratory Status Report.
§ 22-64499. Performance Evaluation Samples.
§ 22-64501. Inspection of Water Testing Laboratories.
§ 22-64555. Definitions.
§ 22-64560. New Well Siting, Construction, and Permit Application.
§ 22-64562. Quantity of Supply. [Repealed]
§ 22-64563. Procedures for Determining Source Capacity. [Repealed]
§ 22-64564. Procedures for Determining Needed Source Capacity and Needed Storage Volume. [Repealed]
§ 22-64566. System Pressure. [Repealed]
§ 22-64568. Conditions for Adding Service Connections. [Repealed]
§ 22-64570. Materials and Installation.
§ 22-64600. Water System Operations and Maintenance Plan.
§ 22-64602. Minimum Pressure.
§ 22-64604. Preparation and Maintenance of Records.
§ 22-64612. Water Sealed Pumps. [Repealed]
§ 22-64622. Water Main Materials. [Repealed]
§ 22-64624. Water Main Selection and Installation. [Repealed]
§ 22-64626. Layout of Water Mains. [Repealed]
§ 22-64628. Minimum Water Main Diameter and Length of Run. [Repealed]
§ 22-64630. Water Main Installation. [Repealed]
§ 22-64632. Water Main Valve Locations. [Repealed]
§ 22-64634. Water Main Valve Construction Standards. [Repealed]
§ 22-64636. Air and Vacuum Relief and Air Release Valves. [Repealed]
§ 22-64638. Water Main Joints. [Repealed]
§ 22-64640. Fire Hydrants. [Repealed]
§ 22-64642. Flushing Valves and Blowoffs. [Repealed]
§ 22-64644. Service Connection Pipe. [Repealed]
§ 22-64654. Disinfection.
§ 22-64686. Requirements Subsequent to the Department's Designation.
§ 22-64700. Direct Additives. [Renumbered]
§ 22-64710. Exception. [Renumbered]
§ 22-65600. Onsite.
§ 22-65601. Offsite.
§ 22-65602. Transfer Station.
§ 22-65603. Applicant.
§ 22-65604.
§ 22-65610. Compliance with the California Environmental Quality Act (CEQA).
§ 22-65611. Application Procedures.
§ 22-65612. Determination of Completeness and Notification.
§ 22-65613. Notice of Decision on Application.
§ 22-65614. Application Time Periods for Processing a Permit Based on Actual Performance.
§ 22-65619. Requirements for Medical Waste Facility Permit.
§ 22-65620. Scope of Permit Requirement.
§ 22-65621. Application for a Permit.
§ 22-65622. Signatories to Permit Applications and Reports.
§ 22-65623. Requirements Applicable to All Permits.
§ 22-65624. Duration of Permits.
§ 22-65625. Contents of a Medical Waste Treatment Facility Permit Application.
§ 22-65628. Application Fees.
§ 22-66001. Accidental Occurrence.
§ 22-66001.5. Active Portion.
§ 22-66002. Acute Aquatic 96-Hour LC50.
§ 22-66004. Acute Dermal LD50.
§ 22-66005. Acute Inhalation LCLO.
§ 22-66006. Acute Inhalation LC50.
§ 22-66007. Acute LDLO.
§ 22-66008. Acute Oral LD50.
§ 22-66010. Acute Toxicity.
§ 22-66011. Applicant.
§ 22-66011.1. Aquifer.
§ 22-66011.2. Assets.
§ 22-66011.3. Authorized Representative.
§ 22-66012. Bioaccumulative Toxic Substance.
§ 22-66013. Bodily Injury.
§ 22-66015. Cargo Tank.
§ 22-66015.5. Certification.
§ 22-66016. Chemical Toilet.
§ 22-66020. Chemical Toilet Additive.
§ 22-66024. Chemical Toilet Waste.
§ 22-66026. Chronic Toxicity.
§ 22-66027. Closed Portion.
§ 22-66027.6. Closure Plan.
§ 22-66027.8. Confined Aquifer.
§ 22-66027.9. Constituent.
§ 22-66028. Container.
§ 22-66032. Corrosive.
§ 22-66033. Contingency Plan.
§ 22-66036. Covered Container.
§ 22-66038. Current Assets.
§ 22-66038.2. Current Closure Cost Estimate.

§ 22-66038.4. Current Liabilities.
§ 22-66038.6. Current Post-Closure Cost Estimate.
§ 22-66038.9. Decontaminate.
§ 22-66040. Dike.
§ 22-66041. Discharge.
§ 22-66042. Disposal.
§ 22-66044. Disposal Facility.
§ 22-66048. Elementary Neutralization Unit.
§ 22-66049. End-User.
§ 22-66050. Environmental Protection Agency (EPA) Identification Number.
§ 22-66052. Disposal Site.
§ 22-66056. Existing Hazardous Waste Facility.
§ 22-66058. Existing Portion.
§ 22-66060. Extremely Hazardous Material.
§ 22-66070. Facility.
§ 22-66071. Fine Powder.
§ 22-66074. Freeboard.
§ 22-66076. Free Liquids.
§ 22-66078. Generator.
§ 22-66079. Ground Water.
§ 22-66080. Hauler.
§ 22-66084. Hazardous Material.
§ 22-66088. Hazardous Waste.
§ 22-66092. Hazardous Waste Area.
§ 22-66096. Hazardous Waste Facility.
§ 22-66099. Hazardous Waste Facility Permit.
§ 22-66100. Hazardous Waste Facility Permit.
§ 22-66104. Hazardous Waste Manifest.
§ 22-66106. Highway.
§ 22-66107. Ignitable.
§ 22-66108. In Operation.
§ 22-66109. Inactive Portion.
§ 22-66110. Incinerator.
§ 22-66111. Incompatible Waste.
§ 22-66112. Independently Audited.
§ 22-66113. Injection Well.
§ 22-66114. Inner Liner.
§ 22-66115. Interim Status.
§ 22-66116. International Shipment.
§ 22-66120. Irritant.
§ 22-66122. Land Disposal Method.
§ 22-66123. Landfill.
§ 22-66124. Landfill Cell.
§ 22-66125. Land Treatment Facility.
§ 22-66126. Leachate.
§ 22-66127. Legal Defense Costs.
§ 22-66128. Liabilities.
§ 22-66129. Liner.
§ 22-66129.5. Load.
§ 22-66130. Management.
§ 22-66131. Manifest.
§ 22-66131.4. Manifest Document Number.
§ 22-66132. Manifest.
§ 22-66133. Movement.
§ 22-66134. Net Working Capital.
§ 22-66134.5. Net Worth.
§ 22-66134.8. New Hazardous Waste Facility.
§ 22-66135. Nonsudden Accidental Occurrence.
§ 22-66136. Off-Site Hazardous Waste Facility.
§ 22-66140. On-Site Hazardous Waste Facility.
§ 22-66142. Open Burning.
§ 22-66144. Operator.
§ 22-66146. Owner.
§ 22-66148. Operation Plan.
§ 22-66150. Parent Corporation.
§ 22-66151. Part A of Permit Application.
§ 22-66151.1. Part B of Permit Application.
§ 22-66152. Partial Closure.
§ 22-66154. Permitted Facility.
§ 22-66156. Persistent Toxic Substance.
§ 22-66158. Personnel.
§ 22-66160. Pile.
§ 22-66162. Point Source.
§ 22-66163. Post-Closure Plan.
§ 22-66164. Producer.
§ 22-66165. Property Damage.
§ 22-66166. Publicly Owned Treatment Works.
§ 22-66168. Reactive.
§ 22-66172. Recyclable Hazardous waste.
§ 22-66174. Recycle.
§ 22-66176. Registered Hazardous Waste Transporter.
§ 22-66178. Representative Sample.
§ 22-66180. Resource Recovery.
§ 22-66181. Resource Recovery Facility.
§ 22-66184. Reuse.
§ 22-66186. Run-off.
§ 22-66187. Run-on.
§ 22-66188. Salvaging.
§ 22-66189. Saturated Zone.
§ 22-66189.5. Scrap Metal.
§ 22-66190. Semitrailer.
§ 22-66190.2. Series 'A' Resource Recovery Facility Permit.
§ 22-66190.4. Series B Resource Recovery Facility Permit.
§ 22-66190.6. Series C Resource Recovery Facility Permit.
§ 22-66191. Sharps.
§ 22-66193. Sludge.
§ 22-66194. Soluble Threshold Limit Concentration.
§ 22-66195. Special Waste.
§ 22-66196. Spill.
§ 22-66199. Sudden Accidental Occurrence.
§ 22-66200. Surface Impoundment
§ 22-66201. Surplus Material.
§ 22-66202. Tangible Net Worth.
§ 22-66203. Tank.
§ 22-66204. Thermal Treatment.
§ 22-66206. Total Threshold Limit Concentration.
§ 22-66208. Totally Enclosed Treatment Facility.
§ 22-66209. Toxicity Concentration Leaching Procedure or TCLP.
§ 22-66210. Trailer.
§ 22-66212. Transfer Station.
§ 22-66213. Transport Vehicle.
§ 22-66213.2. Transportable Treatment Units.
§ 22-66213.5. Transportation.
§ 22-66214. Transporter.
§ 22-66216. Treatment.
§ 22-66218. Treatment Zone.
§ 22-66220. Treatment Facility.
§ 22-66222. Truck.
§ 22-66224. Underground Injection.
§ 22-66225. Unsaturated Zone.
§ 22-66225.5. Uppermost Aquifer.
§ 22-66226. Vacuum Tank.
§ 22-66228. Variance.
§ 22-66230. Vehicle.
§ 22-66232. Vessel.
§ 22-66234. Wastewater Treatment Unit.
§ 22-66236. Water Reactive.
§ 22-66238. Water Bulk Shipment.
§ 22-66240. Well.

Division 22. Department of Health Services

(Title 22)

§ 22–60301. Definitions.

NOTE: Authority cited: Section 13521, Water Code. Reference: Sections 13520 and 13521, Water Code.

HISTORY

1. New Chapter 4 (§§ 60301–60357, not consecutive) filed 4–2–75; effective thirtieth day thereafter (Register 75, No. 14).
2. Renumbering of Chapter 4 (Sections 60301–60357, not consecutive) to Chapter 3 (Sections 60301–60357, not consecutive), filed 10–14–77; effective thirtieth day thereafter (Register 77, No. 42).
3. Amendment of chapter heading, repealer of section and amendment of NOTE filed 11–2–2000; operative 12–2–2000 (Register 2000, No. 44).

§ 22–60303. Exceptions.

The requirements set forth in this chapter shall not apply to the use of recycled water onsite at a water recycling plant, or wastewater treatment plant, provided access by the public to the area of onsite recycled water use is restricted.

NOTE: Authority cited: Section 13521, Water Code. Reference: Sections 13520 and 13521, Water Code.

HISTORY

1. Repealer of former article 3 (sections 60309–60311) and new article 3 (sections 60303–60307) and section filed 11–2–2000; operative 12–2–2000 (Register 2000, No. 44).

§ 22–60305. Use of Recycled Water For Impoundments.

(a) Except as provided in subsection (b), recycled water used as a source of water supply for nonrestricted recreational impoundments shall be disinfected tertiary recycled water that has been subjected to conventional treatment.

(b) Disinfected tertiary recycled water that has not received conventional treatment may be used for nonrestricted recreational impoundments provided the recycled water is monitored for the presence of pathogenic organisms in accordance with the following:

(1) During the first 12 months of operation and use the recycled water shall be sampled and analyzed monthly for *Giardia*, enteric viruses, and *Cryptosporidium*. Following the first 12 months of use, the recycled water shall be sampled and analyzed quarterly for *Giardia*, enteric viruses, and *Cryptosporidium*. The ongoing monitoring may be discontinued after the first two years of operation with the approval of the department. This monitoring shall be in addition to the monitoring set forth in section 60321.

(2) The samples shall be taken at a point following disinfection and prior to the point where the recycled water enters the use impoundment. The samples shall be analyzed by an approved laboratory and the results submitted quarterly to the regulatory agency.

(c) The total coliform bacteria concentrations in recycled water used for nonrestricted recreational impoundments, measured at a point between the disinfection process and the point of entry to the use impoundment, shall comply with the criteria specified in section 60301.230 (b) for disinfected tertiary recycled water.

(d) Recycled water used as a source of supply for restricted recreational impoundments and for any publicly accessible impoundments at fish hatcheries shall be at least disinfected secondary–2.2 recycled water.

(e) Recycled water used as a source of supply for landscape impoundments that do not utilize decorative fountains shall be at least disinfected secondary–23 recycled water.

NOTE: Authority cited: Section 13521, Water Code. Reference: Sections 13520 and 13521, Water Code.

HISTORY

1. Repealer and new section filed 11–2–2000; operative 12–2–2000 (Register 2000, No. 44).

§ 22–60315. *Design Requirements.*

The public water supply shall not be used as a backup or supplemental source of water for a dual–plumbed recycled water system unless the connection between the two systems is protected by an air gap separation which complies with the requirements of sections 7602(a) and 7603(a) of title 17, California Code of Regulations, and the approval of the public water system has been obtained.

NOTE: Authority cited: Section 13521, Water Code. Reference: Sections 13521, 13523.1, 13553 and 13554, Water Code.

HISTORY

1. Repealer of former article 5 (sections 60315–60319) and repealer and new section filed 11–2–2000; operative 12–2–2000 (Register 2000, No. 44).

§ 22–60317. Restricted Recreational Impoundment.

HISTORY

1. Repealer filed 11–2–2000; operative 12–2–2000 (Register 2000, No. 44).

§ 22–60319. Landscape Impoundment.

HISTORY

1. Repealer filed 11–2–2000; operative 12–2–2000 (Register 2000, No. 44).

§ 22–60320. Groundwater Recharge.

(a) Reclaimed water used for groundwater recharge of domestic water supply aquifers by surface spreading shall be at all times of a quality that fully protects public health. The State Department of Health Services' recommendations to the Regional Water Quality Control Boards for proposed groundwater recharge projects and for expansion of existing projects will be made on an individual case basis where the use of reclaimed water involves a potential risk to public health.

(b) The State Department of Health Services' recommendations will be based on all relevant aspects of each project, including the following factors: treatment provided; effluent quality and quantity; spreading area operations; soil characteristics; hydrogeology; residence time; and distance to withdrawal.

(c) The State Department of Health Services will hold a public hearing prior to making the final determination regarding the public health aspects of each groundwater recharge project. Final recommendations will be submitted to the Regional Water Quality Control Board in an expeditious manner.

NOTE: Authority cited: Section 208, Health and Safety Code; and Section 13521, Water Code. Reference: Sections 13520 and 13521, Water Code.

HISTORY

1. New Article 5.1 (Section 60320) filed 9–22–78; effective thirtieth day thereafter (Register 78, No. 38).
2. Editorial correction of NOTE filed 12–3–84 (Register 84, No. 49).

§ 22–60320.5. Other Methods of Treatment.

Methods of treatment other than those included in this chapter and their reliability features may be accepted if the applicant demonstrates to the satisfaction of the State Department of Health that the methods of treatment and reliability features will assure an equal degree of treatment and reliability.

NOTE: Authority cited: Section 208, Health and Safety Code; and Section 13521, Water Code. Reference: Section 13520, Water Code.

HISTORY

1. Renumbering of Article 11 (Section 60357) to Article 5.5 (Section 60320.5) filed 9–22–78; effective thirtieth day thereafter (Register 78, No. 38).

§ 22–60321. Sampling and Analysis.

(a) Disinfected secondary–23, disinfected secondary–2.2, and disinfected tertiary recycled water shall be sampled at least once daily for total coliform bacteria. The samples shall be taken from the disinfected effluent and shall be analyzed by an approved laboratory.

(b) Disinfected tertiary recycled water shall be continuously sampled for turbidity using a continuous turbidity meter and recorder following filtration. Compliance with the daily average operating filter effluent turbidity shall be determined by averaging the levels of recorded turbidity taken at four–hour intervals over a 24–hour period. Compliance with turbidity pursuant to section 60301.320(a)(2)(B) and (b)(1) shall be determined using the levels of recorded turbidity taken at intervals of no more than 1.2–hours over a 24–hour period. Should the continuous turbidity meter and recorder fail, grab sampling at a minimum frequency of 1.2–hours may be substituted for a period of up to 24–hours. The results of the daily average turbidity determinations shall be reported quarterly to the regulatory agency.

(c) The producer or supplier of the recycled water shall conduct the sampling required in subsections (a) and (b).

NOTE: Authority cited: Section 13521, Water Code. Reference: Sections 13520 and 13521, Water Code.

HISTORY

1. Repealer and new section filed 11–2–2000; operative 12–2–2000 (Register 2000, No. 44).

§ 22–60323. Engineering Report.

(a) No person shall produce or supply reclaimed water for direct reuse from a proposed water reclamation plant unless he files an engineering report.

(b) The report shall be prepared by a properly qualified engineer registered in California and experienced in the field of wastewater treatment, and shall contain a description of the design of the proposed reclamation system. The report shall clearly indicate the means for compliance with these regulations and any other features specified by the regulatory agency.

(c) The report shall contain a contingency plan which will assure that no untreated or inadequately–treated wastewater will be delivered to the use area.

§ 22–60325. Personnel.

(a) Each reclamation plant shall be provided with a sufficient number of qualified personnel to operate the facility effectively so as to achieve the required level of treatment at all times.

(b) Qualified personnel shall be those meeting requirements established pursuant to Chapter 9 (commencing with Section 13625) of the Water Code.

NOTE: Authority cited: Section 208, Health and Safety Code; and Section 13521, Water Code. Reference: Sections 13520 and 13521, Water Code.

HISTORY

1. New NOTE filed 12–3–84 (Register 84, No. 49).

§ 22–60327. Maintenance.

A preventive maintenance program shall be provided at each reclamation plant to ensure that all equipment is kept in a reliable operating condition.

NOTE: Authority cited: Section 208, Health and Safety Code; and Section 13521, Water Code. Reference: Sections 13520 and 13521, Water Code.

HISTORY

1. New NOTE filed 12–3–84 (Register 84, No. 49).

§ 22–60329. Operating Records and Reports.

(a) Operating records shall be maintained at the reclamation plant or a central depository within the operating agency. These shall include: all analyses specified in the reclamation criteria; records of operational problems, plant and equipment breakdowns, and diversions to emergency storage or disposal; all corrective or preventive action taken.

(b) Process or equipment failures triggering an alarm shall be recorded and maintained as a separate record file. The recorded information shall include the time and cause of failure and corrective action taken.

(c) A monthly summary of operating records as specified under (a) of this section shall be filed monthly with the regulatory agency.

(d) Any discharge of untreated or partially treated wastewater to the use area, and the cessation of same, shall be reported immediately by telephone to the regulatory agency, the State Department of Health, and the local health officer.

NOTE: Authority cited: Section 208, Health and Safety Code; and Section 13521, Water Code. Reference: Sections 13520 and 13521, Water Code.

HISTORY

1. New NOTE filed 12–3–84 (Register 84, No. 49).

§ 22–60331. Bypass.

There shall be no bypassing of untreated or partially treated wastewater from the reclamation plant or any intermediate unit processes to the point of use.

NOTE: Authority cited: Section 208, Health and Safety Code; and Section 13521, Water Code. Reference: Sections 13520 and 13521, Water Code.

HISTORY

1. New NOTE filed 12–3–84 (Register 84, No. 49).

§ 22–60333. Flexibility of Design.

The design of process piping, equipment arrangement, and unit structures in the reclamation plant must allow for efficiency and convenience in operation and maintenance and provide flexibility of operation to permit the highest possible degree of treatment to be obtained under varying circumstances.

§ 22–60335. Alarms.

(a) Alarm devices required for various unit processes as specified in other sections of these regulations shall be installed to provide warning of:

(1) Loss of power from the normal power supply.

(2) Failure of a biological treatment process.

(3) Failure of a disinfection process.

(4) Failure of a coagulation process.

(5) Failure of a filtration process.

(6) Any other specific process failure for which warning is required by the regulatory agency.

(b) All required alarm devices shall be independent of the normal power supply of the reclamation plant.

(c) The person to be warned shall be the plant operator, superintendent, or any other responsible person designated by the management of the reclamation plant and capable of taking prompt corrective action.

(d) Individual alarm devices may be connected to a master alarm to sound at a location where it can be conveniently observed by the attendant. In case the reclamation plant is not attended full time, the alarm(s) shall be connected to sound at a police station, fire station or other full–time service unit with which arrangements have been made to alert the person in charge at times that the reclamation plant is unattended.

§ 22–60337. Power Supply.

The power supply shall be provided with one of the following reliability features:

(a) Alarm and standby power source.

(b) Alarm and automatically actuated short–term retention or disposal provisions as specified in Section 60341.

(c) Automatically actuated long–term storage or disposal provisions as specified in Section 60341.

§ 22–60339. Primary Treatment.

Reclamation plants producing reclaimed water exclusively for uses for which primary effluent is permitted shall be provided with one of the following reliability features:

(a) Multiple primary treatment units capable of producing primary effluent with one unit not in operation.

(b) Long–term storage or disposal provisions as specified in Section 60341.

§ 22–60341. Emergency Storage or Disposal.

(a) Where short–term retention or disposal provisions are used as a reliability feature, these shall consist of facilities reserved for the purpose of storing or disposing of untreated or partially treated wastewater for at least a 24–hour period. The facilities shall include all the necessary diversion devices, provisions for odor control, conduits, and pumping and pump back equipment. All of the equipment other than the pump back equipment shall be either independent of the normal power supply or provided with a standby power source.

(b) Where long–term storage or disposal provisions are used as a reliability feature, these shall consist of ponds, reservoirs, percolation areas, downstream sewers leading to other treatment or disposal facilities or any other facilities reserved for the purpose of emergency storage or disposal of untreated or partially treated wastewater. These facilities shall be of sufficient capacity to provide disposal or storage of wastewater for at least 20 days, and shall include all the necessary diversion works, provisions for odor and nuisance control, conduits, and pumping and pump back equipment. All of the equipment other than the pump back equipment shall be either independent of the normal power supply or provided with a standby power source.

(c) Diversion to a less demanding reuse is an acceptable alternative to emergency disposal of partially treated wastewater provided that the quality of the partially treated wastewater is suitable for the less demanding reuse.

(d) Subject to prior approval by the regulatory agency, diversion to a discharge point which requires lesser quality of wastewater is an acceptable alternative to emergency disposal of partially treated wastewater.

(e) Automatically actuated short–term retention or disposal provisions and automatically actuated long–term storage or disposal provisions shall include, in addition to provisions of (a), (b), (c), or (d) of this section, all the necessary sensors, instruments, valves and other devices to enable fully automatic diversion of untreated or partially treated wastewater to approved emergency storage or disposal in the event of failure of a treatment process and a manual reset to prevent automatic restart until the failure is corrected.

§ 22–60343. Primary Treatment.

All primary treatment unit processes shall be provided with one of the following reliability features:

(a) Multiple primary treatment units capable of producing primary effluent with one unit not in operation.

(b) Standby primary treatment unit process.

(c) Long–term storage or disposal provisions.

§ 22–60345. Biological Treatment.

All biological treatment unit processes shall be provided with one of the following reliability features:

(a) Alarm and multiple biological treatment units capable of producing oxidized wastewater with one unit not in operation.

(b) Alarm, short–term retention or disposal provisions, and standby replacement equipment.

(c) Alarm and long–term storage or disposal provisions.

(d) Automatically actuated long–term storage or disposal provisions.

§ 22–60347. Secondary Sedimentation.

All secondary sedimentation unit processes shall be provided with one of the following reliability features:

(a) Multiple sedimentation units capable of treating the entire flow with one unit not in operation.

(b) Standby sedimentation unit process.

(c) Long–term storage or disposal provisions.

§ 22–60349. Coagulation.

(a) All coagulation unit processes shall be provided with the following mandatory features for uninterrupted coagulant feed:

(1) Standby feeders,

(2) Adequate chemical stowage and conveyance facilities,

(3) Adequate reserve chemical supply, and

(4) Automatic dosage control.

(b) All coagulation unit processes shall be provided with one of the following reliability features:

(1) Alarm and multiple coagulation units capable of treating the entire flow with one unit not in operation;

(2) Alarm, short–term retention or disposal provisions, and standby replacement equipment;

(3) Alarm and long-term storage or disposal provisions;

(4) Automatically actuated long-term storage or disposal provisions, or

(5) Alarm and standby coagulation process.

§ 22-60351. Filtration.

All filtration unit processes shall be provided with one of the following reliability features:

(a) Alarm and multiple filter units capable of treating the entire flow with one unit not in operation.

(b) Alarm, short-term retention or disposal provisions and standby replacement equipment.

(c) Alarm and long-term storage or disposal provisions.

(d) Automatically actuated long-term storage or disposal provisions.

(e) Alarm and standby filtration unit process.

§ 22-60353. Disinfection.

(a) All disinfection unit processes where chlorine is used as the disinfectant shall be provided with the following features for uninterrupted chlorine feed:

(1) Standby chlorine supply,

(2) Manifold systems to connect chlorine cylinders,

(3) Chlorine scales, and

(4) Automatic devices for switching to full chlorine cylinders.

Automatic residual control of chlorine dosage, automatic measuring and recording of chlorine residual, and hydraulic performance studies may also be required.

(b) All disinfection unit processes where chlorine is used as the disinfectant shall be provided with one of the following reliability features:

(1) Alarm and standby chlorinator;

(2) Alarm, short-term retention or disposal provisions, and standby replacement equipment;

(3) Alarm and long-term storage or disposal provisions;

(4) Automatically actuated long-term storage or disposal provisions; or

(5) Alarm and multiple point chlorination, each with independent power source, separate chlorinator, and separate chlorine supply.

§ 22-60355. Other Alternatives to Reliability Requirements.

Other alternatives to reliability requirements set forth in Articles 8 to 10 may be accepted if the applicant demonstrates to the satisfaction of the State Department of Health that the proposed alternative will assure an equal degree of reliability.

NOTE: Authority cited: Section 208, Health and Safety Code; and Section 13521, Water Code. Reference: Sections 13520 and 13521, Water Code.

HISTORY

1. New NOTE filed 12-3-84 (Register 84, No. 49).

§ 22-60400. Certification.

"Certification" means that a water treatment device or a treatment component used in water treatment devices has met the testing requirements specified in section 60435 or the testing requirements accepted by the Department pursuant to section 4057.1(c) of the Health and Safety Code as defined in section 60440.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Sections 4057 and 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9-6-90; operative 10-6-90 (Register 90, No. 43).
2. Editorial correction of printing error restoring chapter 4 and article 1 headings (Register 91, No. 31).

§ 22-60401. Health and Safety Claim.

(a) "Health or Safety Claim" means one or more of the following:

(1) Any claim that the water treatment device or treatment component will remove or reduce a contaminant for which a primary drinking water standard as defined in Health and Safety Code section 4010.1 or a treatment requirement as authorized in sections 4023.1(c) and 4023.3(d) of the Health and Safety Code has been established.

(2) Any claim that the water treatment device or treatment component will remove or reduce a contaminant for which a national primary drinking water standard or treatment requirement has been established under the U.S. Safe Drinking Water Act (PL 93-523 and as amended under PL 99-339) (42 U.S.C. section 300g-1).

(3) Any claim that the water treatment device or treatment component will remove or reduce a contaminant which has been determined to present a health risk by the United States Environmental Protection Agency pursuant to sections 1445(a)(2) and 1445(a)(3) of the U.S. Safe Drinking Water Act (PL 93-523 and as amended under PL 99-339) (42 U.S.C. section 300j-4(a)(2) and (a)(3)).

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Sections 4010.1 4023.1, 4023.3, Health and Safety Code.

HISTORY

1. New section filed 9-6-90; operative 10-6-90 (Register 90, No. 43).

§ 22-60402. Independent Laboratory.

"Independent Laboratory" means a laboratory that is neither owned or operated by the manufacturer or an entity which is a parent or subsidiary company to the manufacturer of a water treatment device or treatment component nor is in a partnership with the manufacturer or entity which is a parent or subsidiary company to the manufacturer.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Sections 4057 and 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9-6-90; operative 10-6-90 (Register 90, No. 43).

§ 22-60403. Manufacturer.

(a) "Manufacturer" means any person, as defined by section 4057(c) of the California Health and Safety Code, that makes, converts, constructs, or produces water treatment devices or treatment components for the purpose of sale, lease or rent to individuals, corporations, associations, or other entities. Manufacturer also includes:

(1) Persons that assemble water treatment devices or treatment components from components manufactured by another entity.

(2) Persons who add their own product name or product identification to water treatment devices or treatment components which have been manufactured or assembled by another entity.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Reference: Sections 4057 and 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9-6-90; operative 10-6-90 (Register 90, No. 43).

§ 22-60404. Recognized Testing Organization.

"Recognized Testing Organization" means an independent laboratory which has been accredited by the Department pursuant to Health and Safety Code, division 1, part 2, chapter 7.5, section 1010 et seq.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Sections 4010.1, 4057 and 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9-6-90; operative 10-6-90 (Register 90, No. 43).

§ 22-60405. Testing Requirements.

"Testing Requirements" means the contaminant reduction and general performance requirements pursuant to section 60435.

NOTE: Authority Cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Sections 4057 and 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9-6-90; operative 10-6-90 (Register 90, No. 43).

§ 22-60406. Modification.

"Modification" means any change made to a certified water treatment device or certified treatment component which may affect its performance in meeting the testing requirements or an change in the health or safety claims made with respect to the certified water treatment device or certified treatment component.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Sections 4057 and 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).

§ 22–60407. Certification Period.

The certification shall be valid for one year and shall be renewable for a period not to exceed five years.

NOTE: Authority cited: Sections 208, 4057.1 and 4057.2, Health and Safety Code. Reference: Sections 4057.1 and 4057.2, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).
2. Editorial correction of printing error restoring article 2 heading (Register 91, No. 31).

§ 22–60410. Certification Application.

(a) Application for certification shall be submitted by the manufacturer for each water treatment device or treatment component.

(b) A completed application shall include the following:

(1) Applicant business name, address, and phone number.

(2) A contact person, address, and phone number.

(3) The identification of each and every specific contaminant for each and every health or safety claim which is made for the water treatment device or treatment component.

(4) Product design specifications and engineering information including blueprints or similar drawing which will provide detailed information about the construction of the water treatment device and treatment components.

(5) Parts list for the water treatment device or treatment component.

(6) Test data and verification as prescribed by section 60435, 60445, 60450 or 60455.

(7) A list of all names, model numbers, or other product identifications which are used by the manufacturer to describe the water treatment device or treatment component.

(8) A statement containing the following declaration by the manufacturer: "This water treatment device or treatment component, which is identified as (insert name, model number, or other product identification) has been toxicologically reviewed and tested to verify that no substances are contributed by the unit to the treated water at levels that would adversely affect the health of the users. The toxicological review and testing was conducted pursuant to the requirements of the material review and qualifications procedures contained in the appropriate testing standard referenced in Table I of section 60435 or Table II of section 60450".

(9) The application shall be signed by a person in a principal management position.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Section 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).
2. Editorial correction of printing error in Reference and restoring article 3 heading (Register 91, No. 31).

§ 22–60415. Certification Renewal.

(a) A completed application for renewal of a certification shall be submitted by the manufacturer. A completed application shall include the following:

(1) Applicant business name, address, and phone number.

(2) A contact person, address, and phone number.

(3) A written statement that identifies any change to the information provided as described in section 60410(b)(7) and (8) or changes to section 60410(b)(4) and (5) which do not constitute modifications.

(4) The application shall be signed by a person in a principal management position.

(b) The manufacturer shall be responsible for making application for renewal of a certification at least 30 days prior to the expiration date. If the application is submitted after that date, a late application penalty must be paid.

(c) In the event that the application for renewal of the certification is denied by the department, the manufacturer will be notified by registered mail of the denial and the reasons for the denial. The manufacturer may appeal the denial in accordance with Government Code, title 2, division 3, chapter 5, section 11500 et seq. The registered letter providing notice of the denial will be considered the accusation within the appeal process.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Section 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).

§ 22–60425. Modification of a Certification.

(a) Any modification made to a certified water treatment device or certified treatment component without the written approval of the Department shall void the certification.

(b) Application to modify an existing certification shall be submitted by the manufacturer. A completed application for the modification of a certified water treatment device or certified treatment component shall include the following:

(1) Applicant business name, address, and telephone number.

(2) Name of a contact person, address, and telephone number.

(3) A statement of the reasons for the modification(s).

(4) A description of the modification(s) to the certified water treatment device or certified treatment component such as changes in the health or safety claims; changes in treatment components; changes in parts which are in direct contact with the influent or product water; or changes to parts which affect the treatment process or product safety.

(6) Changes to the parts list provided pursuant to section 60410(b)(5).

(7) Changes to the product design, specifications and engineering information including blueprints or similar drawings provided pursuant to section 60410(b)(4).

(8) Changes to the list of names, model numbers, or other product identifications provided pursuant to section 60410(b)(7).

(9) A statement containing the following declaration by the manufacturer: "This water treatment device or treatment component, which is identified as (insert name, model number, or other product identification) has been to toxicologically reviewed and tested to verify that no substances are contributed by the unit to the treated water at levels that would adversely affect the health of the users. The toxicological review and testing was conducted pursuant to the requirements of the material review and qualifications procedures contained in the appropriate testing standard referenced in Table I of section 60435 or Table II of section 60450."

(10) The application shall be signed by a person in a principal management position.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Section 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).

§ 22–60430. Processing Time.

(a) Within 45 calendar days of receipt of an application for certification, or modification of a certified water treatment device or certified treatment component, the Department shall inform the applicant in writing that the application is complete and accepted for filing, or that it is incomplete and what specific information is needed.

(b) Within 90 calendar days from the date of filing a completed application for certification or modification of a certified water treatment device or certified treatment component, the Department shall inform the applicant in writing of its decision.

(c) Within 30 calendar days of receipt of an application for renewal of certification, the Department shall inform the applicant in writing that the application is complete and accepted for filing, or that it is incomplete and what specific information is needed.

(d) Within 30 calendar days of receipt of a completed application for the renewal of certification, the Department shall inform the applicant in writing that certification has or has not been extended.

NOTE: Authority cited: Section 208, Health and Safety Code; and Section 15376, Government Code. Reference: Section 15376, Government Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).

§ 22–60435. Testing and Testing Protocols.

(a) To be considered for certification, a water treatment device or treatment component shall be tested and found to meet the requirements set forth in Table I.

(b) The testing shall be conducted:

(1) By a recognized testing organization; or

(2) By a manufacturer pursuant to section 60445.

(c) All contaminant reduction and general performance testing shall be conducted by a laboratory which has been accredited by the Department pursuant to Health and Safety Code, division 1, part 2, chapter 7.5, section 1010 et seq. Test data submitted pursuant to section 60450 are exempt from this provision.

Table I
Testing Requirements

Treatment Process	Reference Standard	TESTING PROTOCOLS	
		Contaminant Reduction Requirements (Sections)	General Performance Requirements (Sections)
Mechanical Filtration	NSF Standard 53[1]	5.2, 5.2.1, 5.3, 5.3.1, 5.3.2, 5.3.3	4.2, 4.2.1, 4.2.2, 4.2.3, 4.2.4, 4.4, 5.5
Activated Carbon			
Reverse Osmosis	NSF Standard 58[2]	5.3, 5.4, 5.4.1, 5.4.2, 5.4.3	4.1, 4.7.2, 4.7.3
Cation Exchange	NSF Standard 44[3]	5.2, 5.2.1	4.3
Distillation	NSF Standard 62[4]	5.1, 5.2, 5.3	4.21, 4.5, 4.5.1, 4.5.2, 4.5.2.1, 5.4

Notes:

[1]National Sanitation Foundation Standard 53, Drinking Water Treatment Units Health Effects, June 1988.

[2]National Sanitation Foundation Standard 58, Reverse Osmosis Drinking Water Treatment Systems, November 1986.

[3]National Sanitation Foundation Standard 44, Cation Exchange Water Softeners, December 1987.

[4]National Sanitation Foundation Standard 62, Drinking Water Distillation Systems, May 1989.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Section 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).
2. Editorial correction of printing error restoring article 4 heading (Register 91, No. 31).

§ 22–60440. Manufacturer's Testing Protocols.

(a) Whenever the testing requirements of Table I of section 60435 are not applicable for the treatment process or the specific contaminant for which certification is requested, the applicant shall submit proposed testing protocols to the Department for approval prior to the testing of the water treatment device or treatment component.

(b) The proposed testing protocols shall include the following:

(1) Testing shall be conducted in duplicate.

(2) Testing shall be conducted under pressure and flow conditions typical of the end use of the water treatment device or treatment component.

(3) Testing shall provide an equivalent level of assurance that the performance of a water treatment device or treatment component is consistent with the performance of those water treatment or treatment components devices which are tested against the testing requirements prescribed in Table I of section 60435.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Section 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).

§ 22–60445. Manufacturer's Test Data.

(a) Test data developed by a manufacturer and submitted to the Department pursuant to the provisions of section 60435(b)(2) shall meet all of the following requirements:

(1) The data was obtained using the testing requirements prescribed in section 60435 or the testing requirements accepted by the Department pursuant to section 4057.1(c) of the Health and Safety Code as defined in section 60440.

(2) The data was produced by a laboratory which is wholly owned by the manufacturer of the water treatment device or treatment component.

(3) The manufacturer has complied with the Department's request for information regarding the qualifications of the laboratory staff, laboratory equipment used for testing and analysis, and records related to the testing under review.

(4) The manufacturer's laboratory has been inspected by the Department's staff under a cost reimbursement agreement to recover the cost incurred to make the inspection(s).

(5) The manufacturer has performed replicate testing, as specified by the Department, during the on–site inspection. Such testing shall be required when test data submitted pursuant to this section is incomplete or there is reasonable doubt regarding the ability of the treatment process to remove or reduce one or more of the specific contaminants tested.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Sections 4057.1, and 4057.2, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).

§ 22–60450. Prior Test Data.

When a manufacturer submits prior test data to satisfy the requirements of section 60410(b)(6), the manufacturer shall demonstrate that any test data developed before September 1, 1990 was developed by an independent laboratory or by a manufacturer's laboratory; and that the test data was developed using a testing protocol that was consistent with the applicable testing requirements set forth in Table II. All test data considered by the Department pursuant to this paragraph shall have been produced from testing that was conducted after January 1, 1983.

Table II
Testing Requirements for Prior Data

Treatment Process	Reference Standard	TESTING PROTOCOLS	
		Contaminant Reduction Requirements (Sections)	General Performance Requirements (Sections)
Mechanical Filtration	NSF Standard 53[1]	5.2, 5.2.1, 5.3, 5.3.1, 5.3.2, 5.3.3	4.2, 4.2.1, 4.2.2, 4.2.3, 4.2.4, 4.4, 5.5
Activated Carbon			
Reverse Osmosis	NSF Standard 58[2]	5.3, 5.4, 5.4.1, 5.4.2, 5.4.3	4.1, 4.7.2, 4.7.3
Cation Exchange	NSF Standard 44[3]	5.2, 5.2.1	4.3
Distillation	NSF Standard 62[4]	5.1, 5.2, 5.3	4.21, 4.5, 4.5.1, 4.5.2, 4.5.2.1, 5.4

Notes:

[1] National Sanitation Foundation Standard 53, Drinking Water Treatment Units Health Effects, June 1988.

[2] National Sanitation Foundation Standard 58, Reverse Osmosis Drinking Water Treatment Systems, November 1986.

[3] National Sanitation Foundation Standard 44, Cation Exchange Water Softeners, December 1987.

[4] National Sanitation Foundation Standard 62, Drinking Water Distillation Systems, May 1989.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Section 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).

§ 22–60455. Extrapolation of Data.

(a) Where a manufacturer has several water treatment devices or treatment components each using the same treatment technology and they are of similar construction, the manufacturer may submit test data developed pursuant to section 60435 or the manufacturer's testing protocol accepted by the Department pursuant to section 4057.i(c) of the Health and Safety Code, as defined in section 60440, on one water treatment device or treatment component as representative of the others under the following conditions:

(1) The manufacturer submits evidence that extrapolation will provide test data that is reasonably consistent with empirical data that would be obtained from the actual testing of the water treatment device or treatment component.

(2) Extrapolation is limited to the scaling or down in size as measured by the volume of product water produced or volume of water to be treated.

(3) Scaling up shall be limited to three times greater than the size of the representative water treatment device or treatment component.

(4) Scaling down shall be limited to one third the size of the representative water treatment device or treatment component.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Section 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).

§ 22–60460. Retesting.

(a) The manufacturer shall retest each certified water treatment device or certified treatment component every five years from the date of certification to insure continued compliance with this chapter and shall submit the results to the Department along with the application for recertification.

(b) The manufacturer shall retest a certified water treatment device or certified treatment component for the reduction of a contaminant or for a general performance requirement when the Department determines through testing pursuant to section 60435 or the manufacturer's testing protocol accepted by the Department pursuant to section 4057.1 of the Health and Safety Code, as defined in section 60440, that the water treatment device or treatment component is not meeting a requirement when the water treatment device or treatment component is used according to the manufacturer's instructions. The manufacturer shall comply with the following requirements when retesting pursuant to this paragraph:

(1) Retesting pursuant to subsection (b) shall be conducted by a recognized testing organization in accordance with section 60435 or the manufacturer's testing protocol and shall be initiated within three months of notification by registered mail of the Department's determination.

(2) The results of retesting shall be submitted to the Department within 60 days of initiating the testing.

(3) The results of retesting shall be in conformance with section 60435 or the manufacturer's testing protocol. Manufacturers of certified water treatment devices or certified treatment components determined to be out of compliance with section 60435 or the manufacturer's testing protocol will be notified by registered mail of the decertification and reason for decertification. The manufacturer may appeal the decertification in accordance with Government Code, title 2, division 3, chapter 5, section 11500 et seq. The registered letter providing notice of the decertification will be considered the accusation within the appeal process.

(c) Retesting pursuant to subdivision (a) shall not be required for a certified water treatment device or certified treatment component if the water treatment device or treatment component is listed under a product listing program operated a non–profit third party testing organization and subject to the following provisions:

(1) The listing program is operated by a recognized testing organization.

(2) The listing program includes retesting of the water treatment device or its treatment components at least every five years.

(3) The listing program requires that the manufacturer maintain a quality assurance and quality control program for the manufacturing of the water treatment device or treatment component.

(4) The listing program includes visits at least every two years to the manufacturing plants to inspect the manufacturing of the water treatment device or treatment component and the quality control records maintained by the manufacturer.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Sections 4057.1 and 4057.3, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).

§ 22–60465. Product Labeling.

(a) A permanent, clear, and legible plate or label containing the following information shall be securely affixed to each certified water treatment device or certified treatment component so that such plate or label can only be removed with a purposeful effort and the plate or label shall be affixed in a readily accessible location:

(1) Equipment name.

(2) Model designation.

(3) Name of manufacturer.

(4) The statement "For conditions of use, health claims certified by the California Department of Health Services, and replacement parts, see product data sheet."

(5) The statement "California Department of Health Servicescertification Number: XXXXXX."

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Section 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).
2. Editorial correction of printing error restoring article 5 heading (Register 91, No. 31).

§ 22–60470. Product Data Sheet.

(a) Each certified water treatment device shall be accompanied by a Product Data Sheet which includes the following information:

(1) A copy of the certificate by which the Department has granted certification of the water treatment device. The copy may be incorporated in the product data sheet or attached to the sheet.

(2) Service flow rate in gallons per minute or gallons per day (Liters/day) or the production rate in gallons per day (Liters/day).

(3) Rated service life of the water treatment device (where applicable).

(4) General use conditions and needs, such as maximum turbidity and bacteriological quality of source water.

(5) Model or part number and estimated cost of components that must be periodically or routinely, replaced to maintain the effectiveness of the certified water treatment device.

(6) Maximum and minimum operating temperature in degrees Fahrenheit and degrees Centigrade.

(7) Maximum and minimum operating pressure in pounds per square inch and kilograms per square centimeter.

(8) A reference to the owner's manual for general operation and maintenance requirements, and the manufacturer's warranty.

NOTE: Authority cited: Sections 208 and 4057.1, Health and Safety Code. Reference: Section 4057.1, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).

§ 22–60475. Fees.

(a) The fees specified shall be paid pursuant to the requirements of this chapter. The fees paid are non–refundable:

(1) Certification or Recertification $1,400
(2) Annual Renewal ..... $ 400
(3) Late Renewal Penalty ..... $ 200
(4) Modification of a Certification ..... $ 300

NOTE: Authority cited: Sections 208, 4057.1 and 4057.5, Health and Safety Code. Reference: Section 4057.5, Health and Safety Code.

HISTORY

1. New section filed 9–6–90; operative 10–6–90 (Register 90, No. 43).
2. Editorial correction of printing error restoring article 6 heading (Register 91, No. 31).

§ 22–64201. Definitions.

NOTE: Authority cited: Section 4020.5, Health and Safety Code. Reference: Sections 4020.5 and 4023.3, Health and Safety Code.

HISTORY

1. New section filed 6–16–91; operative 7–16–92 (Register 92, No. 25).
2. Change without regulatory effect repealing section filed 4–21–94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 16).

§ 22–64202. Large Water System Regulatory Fee Determination for the Period of July 1, 1991 Through June 30, 1992.

NOTE: Authority cited: Sections 4010.1 and 4020.5, Health and Safety Code. Reference: Sections 4010.1, 4020.5 and 4023.3, Health and Safety Code.

HISTORY

1. New section filed 6–16–91; operative 7–16–92 (Register 92, No. 25).
2. Change without regulatory effect repealing section filed 4–21–94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 16).

§ 22–64203. Workload Rating Factors.

NOTE: Authority cited: Section 4020.5, Health and Safety Code. Reference: Sections 4020.5 and 4023.3, Health and Safety Code.

HISTORY

1. New section filed 6–16–91; operative 7–16–92 (Register 92, No. 25).
2. Change without regulatory effect repealing section filed 4–21–94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 16).

§ 22–64204. Wholesale Water Suppliers.

NOTE: Authority cited: Sections 4010.1 and 4020.5, Health and Safety Code. Reference: Sections 4020.5 and 4023.3, Health and Safety Code.

HISTORY

1. New section filed 6–16–91; operative 7–16–92 (Register 92, No. 25).
2. Change without regulatory effect repealing section filed 4–21–94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 16).

§ 22–64205. Late Payment.

NOTE: Authority cited: Sections 205, 208 and 4020.5, Health and Safety Code. Reference: Sections 4020.5 and 4023.3, Health and Safety Code.

HISTORY

1. New section filed 6–16–91; operative 7–16–92 (Register 92, No. 25).
2. Change without regulatory effect repealing section filed 4–21–94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 16).

§ 22–64206. Large Water System Reimbursement Fee Determination for the Billing Periods After July 1, 1992.

NOTE: Authority cited: Sections 4010.1, 4019.10 and 4020.5, Health and Safety Code. Reference: Sections 4010.1, 4019.10 and 4023.3, Health and Safety Code.

HISTORY

1. New section filed 1–15–93; operative 2–15–93 (Register 93, No. 3).
2. Change without regulatory effect repealing section filed 4–21–94 pursuant to title 1, section 100, California Code of Regulations (Register 94, No. 16).

§ 22–64211. Permit Requirement.

(a) No person shall operate a state small water system unless a permit to operate the system has been issued by the local health officer. Within 30 calendar days of receipt of an application for a permit, the local health officer shall inform the applicant in writing that the application is either complete and accepted for filing or that it is deficient and what specific information or documentation is required to complete the application.

(b) The state small water system shall submit a technical report to the local health officer as part of the permit application. The report shall de-

scribe the proposed or existing system as follows: service area, distribution system including storage and pumping facilities, the water source including source capacity, water quality, and any water treatment facilities. The report shall identify the owner of the system and the party responsible for day to day operation of the system. The report shall include a plan for notification of those served by the system under emergency conditions. The report shall describe the operating plan for the system and shall specify how the responsible party will respond to failure of major system components.

(c) Within 90 calendar days from the date of filing of a completed application, the local health officer shall inform the applicant in writing of its decision regarding an application.

(d) A change in ownership of a state small water system shall require the submission of a new application.

(e) By July 1, 1992, each state small water system in existence on January 1, 1992, shall submit to the local health officer a plan for notification of those served by the system under emergency conditions.

(f) Each state small water system shall provide the following notice to the consumers served by the state small water system: "The domestic water supply for this area is provided by a state small water system. State regulatory requirements for operation of a state small water system are less extensive than requirements for larger public water systems. If you have questions concerning your water supply, you should contact [insert (1) name of water system, (2) name of responsible person, and (3) telephone number] or your local health department." This notice shall be by direct delivery on an annual basis or by continuous posting at a central location within the area served by the state small water system.

NOTE: Authority cited: Sections 208 and 4010.8, Health and Safety Code. Reference: Sections 4010.1 and 4010.8, Health and Safety Code.

HISTORY

1. New section filed 11–12–91 as an emergency; operative 11–12–91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3–11–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 3–6–92 as an emergency; operative 3–11–92 (Register 92, No. 15). A Certificate of Compliance must be transmittted to OAL 7–9–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–6–92 order including new subsections (e) and (f) transmitted to OAL 5–5–92 and filed 6–16–92 (Register 92, No. 25).

§ 22–64212. Bacteriological Quality Monitoring.

(a) Each water supplier operating a state small water system shall collect a minimum of one routine sample from the distribution system at least once every three months. The sample shall be analyzed for the presence of total coliform bacteria by a laboratory certified by the Department for bacteriological analyses pursuant to Section 4025 of the Health and Safety Code. The results of the analyses shall be reported to the local health officer no later than the 10th day of the month following receipt of the results by the state small water system.

(b) If any routine sample is total coliform–positive, the water supplier shall collect a repeat sample from the same location within 48 hours of being notified of the positive result. If the repeat sample is also total coliform–positive, the sample shall also be analyzed for the presence of fecal coliforms or Escherichia coli (E. Coli). The water supplier shall notify the local health officer within 48 hours from the time the results are received and shall take corrective actions as directed by the local health officer to eliminate the cause of the positive samples.

(c) The local health office may require a state small water system to sample the distribution system each month, in lieu of the requirements of subsection (a), if the system has bacteriological contamination problems indicated by more than one total–coliform positive sample during the most recent 24 months of operation. The monthly sample shall be analyzed for the presence of total coliform bacteria by a laboratory certified by the Department for bacteriological analyses pursuant to Section 4025 of the Health and Safety Code. The results of the analyses shall be reported to the local health officer no later than the 10th day of the month following receipt of the results by the state small water system.

NOTE: Authority cited: Sections 208 and 4010.8, Health and Safety Code. Reference: Sections 4010.1 and 4010.8, Health and Safety Code.

HISTORY

1. New section filed 11–12–91 as an emergency; operative 11–12–91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3–11–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 3–6–92 as an emergency; operative 3–11–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 7–9–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–6–92 order including amendment of subsection (b) and new subsection (c) transmitted to OAL 5–5–92 and filed 6–16–92 (Register 92, No. 25).

§ 22–64213. Chemical Quality Monitoring.

(a) Each water supplier operating a state small water system shall sample each source of supply prior to any treatment at least once. The sample shall be analyzed by a laboratory, certified by the Department pursuant to Section 4025 of the Health and Safety Code, for fluoride, iron, manganese, chlorides, total dissolved solids, and the inorganic chemicals listed in Table 64431–A, Section 64431(a).

(b) Each groundwater source which has been designated as vulnerable by the local health officer pursuant to criteria set forth in Sections 64445(d)(1) and (2) shall be sampled by the water supplier operating the state small water system at least once prior to any treatment and analyzed for volatile organic compounds according to Environmental Protection Agency Method 502.2, "Methods for the Determination of Organic Compounds in Finished Drinking Water and Raw Source Water," September 1986. The analysis shall be performed by a laboratory certified by the Department to perform Method 502.2 analyses for organic chemicals pursuant to Section 4025 of the Health and Safety Code.

(c) The results of the laboratory analyses shall be submitted to the local health officer by the state small water system no later than the 10th day of the month following receipt of the results by the state small water system. A copy of the results of the analyses and a comparison of the results with the maximum contaminant levels for those contaminants listed in Table 64431–A and B, Section 64431(a) and Table 64444–A, Section 64444 shall be distributed by the state small water system to each regular user of the water system within 90 days of receiving the results. A copy of the distribution notice shall be provided to the local health officer.

(d) The water supplier operating a state small water system shall comply with any corrective actions ordered by the local health officer for any chemical contaminant which exceeds the maximum contaminant level.

NOTE: Authority cited: Sections 208, 4010.8 and 4011, Health and Safety Code. Reference: Sections 4010.1, 4010.8, 4011 and 4014, Health and Safety Code.

HISTORY

1. New section filed 11–12–91 as an emergency; operative 11–12–91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3–11–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 3–6–92 as an emergency; operative 3–11–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 7–9–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–6–92 order transmitted to OAL 5–5–92 and filed 6–16–92 (Register 92, No. 25).
4. Amendment of subsections (a)–(c) filed 6–19–95; operative 6–19–95 pursuant to Government Code section 11343.4(d) (Register 95, No. 25).

§ 22–64214. Service Connection Limitation.

No state small water system shall add additional service connections to the system such that the total number of service connections served by the system exceeds 14 before the water system has applied for and received a permit to operate as a public water system from the Department.

NOTE: Authority cited: Sections 208 and 4010.8, Health and Safety Code. Reference: Sections 4010.1 and 4010.8, Health and Safety Code.

HISTORY

1. New section filed 11–12–91 as an emergency; operative 11–12–91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3–11–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 3–6–92 as an emergency; operative 3–11–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 7–9–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–6–92 order transmitted to OAL 5–5–92 and filed 6–16–92 (Register 92, No. 25).

4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–64215. Water Supply Requirements.

Prior to receiving permit approval, a state small water system which was not in existence on November 12, 1991 shall demonstrate to the local health officer that sufficient water is available from the water system's sources and distribution storage facilities to supply a minimum of three gallons per minute for at least 24 hours for each service connection served by the system.

NOTE: Authority cited: Sections 208 and 4010.8, Health and Safety Code. Reference: Sections 4010.1 and 4010.8, Health and Safety Code.

HISTORY

1. New section filed 11–12–91 as an emergency; operative 11–12–91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3–11–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 3–6–92 as an emergency; operative 3–11–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 7–9–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–6–92 order transmitted to OAL 5–5–92 and filed 6–16–92 (Register 92, No. 25).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–64216. Mutual Associations Prohibited.

No state small water system which was not in existence on November 12, 1991 shall be issued a permit to operate if the water supplier is an unincorporated association organized under Title 3 (commencing with Section 20000) of Division 3 of the Corporations Code.

NOTE: Authority cited: Sections 208 and 4010.8, Health and Safety Code. Reference: Sections 4010.1, 4010.8 and 4014, Health and Safety Code.

HISTORY

1. New section filed 11–12–91 as an emergency; operative 11–12–91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3–11–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 3–6–92 as an emergency; operative 3–11–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 7–9–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–6–92 order transmitted to OAL 5–5–92 and filed 6–16–92 (Register 92, No. 25).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–64217. Surface Water Treatment Requirement.

All state small water systems using surface water as a source of supply shall provide continuous disinfection treatment of the water prior to entry to the distribution system.

NOTE: Authority cited: Sections 208 and 4010.8, Health and Safety Code. Reference: Sections 4010.1 and 4010.8, Health and Safety Code.

HISTORY

1. New section filed 11–12–91 as an emergency; operative 11–12–91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3–11–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 3–6–92 as an emergency; operative 3–11–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 7–9–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–6–92 order transmitted to OAL 5–5–92 and filed 6–16–92 (Register 92, No. 25).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–64401. Repeat Compliance Period.

"Repeat compliance period" means any subsequent compliance period after the initial compliance period.

NOTE: Authority cited: Sections 208, 4023.3 and 4028, Health and Safety Code. Reference: Sections 4010 through 4039.6, Health and Safety Code.

HISTORY

1. New section filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day. For *prior history*, see Register 92, No. 28.
2. New section refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
3. New section refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64403. Responsibility.

NOTE: Authority cited: Sections 408 and 4023.3, Health and Safety Code. Reference: Section 4023.3, Health and Safety Code.

HISTORY

1. Amendment of subsection (a)(3) and new NOTE filed 7–1–92; operative 7–31–92 (Register 92, No. 28).
2. Repealer of article 1 heading and section filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Repealer of article 1 heading and section refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Repealer of article 1 heading and section refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64411. Definitions.

NOTE: Authority cited: Sections 208, 4023.3 and 4028, Health and Safety Code. Reference: Sections 4010 through 4039.6, Health and Safety Code.

HISTORY

1. Amendment of subsection (b) filed 11–12–91 as an emergency; operative 11–12–91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3–11–92 or emergency language will be repealed by operation of law on the following day.
2. Amendment of subsection (b) refiled 3–6–92 as an emergency; operative 3–11–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 7–9–92 or emergency language will be repealed by operation of law on the following day.
3. New subsections (e)(1), (e)(2) and (n) and amendment of NOTE filed 5–27–92; operative 6–26–92 (Register 92, No. 22).
4. Editorial correction of printing error restoring subsections (c)–(m) (Register 92, No. 22).
5. Certificate of Compliance as to 3–6–92 order transmitted to OAL 5–5–92 and filed 6–16–92 (Register 92, No. 25).
6. Amendment filed 7–1–92; operative 7–31–92 (Register 92, No. 28).
7. Repealer of article heading and section filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
8. Repealer of article heading and section refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
9. Repealer of article heading and section refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
10. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64412. Determination of Persons Served.

(a) The number of persons served by a community water system shall be determined by the water system using one of the following methods:

(1) Utilizing the most recent United States census data, or more recent special census data certified by the California Department of Finance, for the service area served by the water system;

(2) Multiplying the number of service connections served by the water system by 3.3 to determine the total population served;

(3) Determining the total number of dwelling units or efficiency dwelling units as defined in the Uniform Building Code (Title 24, California Code of Regulations), the number of mobile home park spaces and the number of individual business, commercial, industrial and institutional billing units served by the water system and multiplying this total by 2.8 to arrive at the total population served by the system.

(b) Each community water system shall report to the Department annually the number of persons and the number of service connections served by the system using the procedures set forth in subsection (a).

NOTE: Authority cited: Sections 4021(b)(3) and 4023.3, Health and Safety Code. Reference: Sections 4012 and 4023.3, Health and Safety Code.

HISTORY

1. New article 2 and repealer and new section filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day. For prior history, see Register 90, No. 13.
2. New article 2 and repealer and new section refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
3. New article 2 and repealer and new section refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64413. Initial Effective Dates.

NOTE: Authority cited: Sections 208 and 4026, Health and Safety Code. Reference: Section 4024, Health and Safety Code.

HISTORY

1. Repealer filed 11–22–88; operative 12–22–88 (Register 88, No. 51).

§ 22–64414. Standby Sources.

(a) A source which has been designated "standby" shall be monitored a minimum of once every compliance cycle for all inorganic, organic, and radiological MCLs, unless a waiver has been granted by the Department pursuant to Section 64432(k) or (l) for inorganics, or Section 64445(d) for organics.

(b) A standby source which has previous monitoring results indicating nitrate or nitrite levels equal to or greater than 50 percent of the MCL shall collect and analyze a sample for nitrate and nitrite annually. In addition, upon activation of such a source, a sample shall be collected, analyzed for these chemicals and the analytical results reported to the Department within 24 hours of activation.

(c) A standby source shall be used only for short–term emergencies of five consecutive days or less, and for less than a total of fifteen calendar days a year.

(d) Within 3 days after the short–term emergency use of a standby source, the water supplier shall notify the Department. The notification shall include information on the reason for and duration of the use.

(e) The status of a designated standby source shall not be changed to that of a regular source of drinking water supply, unless the source meets all existing drinking water standards and approval is obtained from the Department in advance.

NOTE: Authority cited: Sections 208 and 4023.3, Health and Safety Code. Reference: Section 4024, Health and Safety Code.

HISTORY

1. Repealer and new section filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day. For prior history, see Register 88, No. 51.
2. Repealer and new section refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
3. Repealer and new section refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 4–26–95 order including amendment of subsection (b) and NOTE transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64415. Laboratory and Personnel.

(a) Required analyses shall be performed by laboratories approved to perform those analyses by the Department, pursuant to Section 116390, Health and Safety Code. Analyses shall be made in accordance with EPA approved methods as prescribed at 40 Code of Federal Regulations Sections 141.21 through 141.40, 141.41, 141.42, 141.66, and 141.89.

(b) Sample collection, and field tests including color, odor, turbidity, pH, temperature, and disinfectant residual shall be performed by a water treatment operator certified by the Department pursuant to Section 106875 of the Health and Safety Code or by personnel trained to collect samples and/or perform these tests by the Department, a certified laboratory, or a certified operator.

NOTE: Authority cited: Sections 100275, 106875, 116375 and 116390, Health and Safety Code. Reference: Sections 116300 through 116750, Health and Safety Code; and 40 Code of Federal Regulations 141.

HISTORY

1. Amendment and new NOTE filed 7–1–92; operative 7–31–92 (Register 92, No. 28).
2. Amendment of subsections (a)–(b) filed 6–19–95; operative 6–19–95 pursuant to Government Code section 11343.4(d) (Register 95, No. 25).
3. Amendment of subsection (a) and NOTE filed 12–11–95 as an emergency; operative 12–11–95 (Register 95, No. 50). A Certificate of Compliance must be transmitted to OAL by 4–9–96 or emergency language will be repealed by operation of law on the following day.
4. Refiling of 12–11–95 order, including amendment of NOTE, filed 4–9–96 as an emergency; operative 4–10–96 (Register 96, No. 15). A Certificate of Compliance must be transmitted to OAL by 8–8–96 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 12–11–95 order, including further amendment of section, transmitted to OAL 8–7–96 and filed 9–16–96 (Register 96, No. 38).
6. Amendment of subsection (a) filed 5–12–2006; operative 6–11–2006 (Register 2006, No. 19).

§ 22–64417. Siting Requirements. [Repealed]

NOTE: Authority cited: Sections 208 and 4026, Health and Safety Code. Reference: Section 4024, Health and Safety Code.

HISTORY

1. New NOTE filed 12–7–84 (Register 84, No. 49).
2. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64419. Agricultural Water Service Exceptions.

HISTORY

1. Repealer filed 7–1–92; operative 7–31–92 (Register 92, No. 28).

§ 22–64421. General Requirements.

(a) Each water supplier shall:

(1) Develop a routine sample siting plan as required in Section 64422;

(2) Collect routine, repeat and replacement samples as required in Sections 64423, 64424, and 64425;

(3) Have all samples analyzed by laboratories approved to perform those analyses by the Department and report results as required in Section 64423.1;

(4) Notify the Department when there is an increase in coliform bacteria in bacteriological samples as required in Section 64426; and

(5) Comply with the Maximum Contaminant Level as required in Section 64426.1.

(b) Water suppliers shall perform additional bacteriological monitoring as follows:

(1) After construction or repair of wells;

(2) After main installation or repair;

(3) After construction, repair, or maintenance of storage facilities; and

(4) After any system pressure loss to less than five psi. Samples collected shall represent the water quality in the affected portions of the system.

NOTE: Authority cited: Sections 208 and 4023.3, Health and Safety Code. Reference: Section 4023.3, Health and Safety Code.

HISTORY

1. Repealer of subsection (h), deletion of former subsection (i) designator and relettering of following subsections and amendment of NOTE filed 11–12–91 as an emergency; operative 11–12–91 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 3–11–92 or emergency language will be repealed by operation of law on the following day.
2. Repealer of subsection (h), deletion of former subsection (i) designator and relettering of following subsections and amendment of NOTE refiled 3–6–92 as an emergency; operative 3–11–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 7–9–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 3–6–92 order transmitted to OAL 5–5–92 and filed 6–16–92 (Register 92, No. 25).
4. Amendment filed 7–1–92; operative 7–31–92 (Register 92, No. 28).
5. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–64422. Routine Sample Siting Plan.

(a) By September 1, 1992, each water supplier shall develop and submit to the Department a siting plan for the routine collection of samples for total coliform analysis, subject to the following:

(1) The sample sites chosen shall be representative of water throughout the distribution system including all pressure zones, and areas supplied by each water source and distribution reservoir.

(2) The water supplier may rotate sampling among the sample sites if the total number of sites needed to comply with (a)(1) above exceeds the number of samples required according to Table 64423–A. The rotation plan shall be described in the sample siting plan.

(b) If personnel other than certified operators will be performing field tests and/or collecting samples, the sample siting plan shall include a declaration that such personnel have been trained, pursuant to Section 64415 (b).

(c) The supplier shall submit an updated plan to the Department at least once every ten years and at any time the plan no longer ensures representative monitoring of the system.

NOTE: Authority cited: Sections 208 and 4023.3, Health and Safety Code. Reference: Section 4024, Health and Safety Code.

HISTORY

1. New section filed 7–1–92; operative 7–31–92 (Register 92, No. 28).

§ 22–64423. Routine Sampling.

(a) Each water supplier shall collect routine bacteriological water samples as follows:

(1) The minimum number of samples for community water systems shall be based on the known population served or the total number of service connections, whichever results in the greater number of samples, as shown in Table 64423–A. A community water system using groundwater which serves 25–1000 persons may request from the Department a reduction in monitoring frequency. The minimum reduced frequency shall not be less than one sample per quarter.

(2) The minimum number of samples for nontransient–noncommunity water systems shall be based on the known population served as shown in Table 64423–A during those months when the system is operating. A nontransient–noncommunity water system using groundwater which serves 25–1000 persons may request from the Department a reduction in monitoring frequency if it has not violated the requirements in this article during the past twelve months. The minimum reduced frequency shall not be less than one sample per quarter.

(3) The minimum number of samples for transient–noncommunity water systems using groundwater and serving 1000 or fewer persons a month shall be one in each calendar quarter during which the system provides water to the public.

(4) The minimum number of samples for transient–noncommunity water systems using groundwater and serving more than 1000 persons during any month shall be based on the known population served as shown in Table 64423–A, except that the water supplier may request from the Department a reduction in monitoring for any month the system serves 1000 persons or fewer. The minimum reduced frequency shall not be less than one sample in each calendar quarter during which the system provides water to the public.

(5) The minimum number of samples for transient–noncommunity water systems using approved surface water shall be based on the population served as shown in Table 64423–A. A system using groundwater under the direct influence of surface water shall begin monitoring at this frequency by the end of the sixth month after the Department has designated the source to be approved surface water.

(6) A public water system shall collect samples at regular time intervals throughout the month, except that a system using groundwater which serves 4,900 persons or fewer may collect all required samples on a single day if they are taken from different sites.

(b) In addition to the minimum sampling requirements, all water suppliers using approved surface water which do not practice treatment in compliance with Sections 64650 through 64666, shall collect a minimum of one sample before or at the first service connection each day during which the turbidity level of the water delivered to the system exceeds 1 NTU. The sample shall be collected within 24 hours of the exceedance and shall be analyzed for total coliforms. If the water supplier is unable to collect and/or analyze the sample within the 24–hour time period because of extenuating circumstances beyond its control, the supplier shall notify the Department within the 24–hour time period and may request an extension. Sample results shall be included in determining compliance with the MCL for total coliforms in Section 64426.1.

(c) If any routine, repeat, or replacement sample is total coliform–positive, then the water supplier shall collect repeat samples in accordance with Section 64424 and comply with the reporting requirements specified in Sections 64426 and 64426.1.

Table 64423–A

Minimum Number of Routine Total Coliform Samples

Monthly Population Served	*Service Connections*	*Minimum Number of Samples*
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 "
2,501 to 3,300	891 to 1,180	3 "
3,301 to 4,100	1,181 to 1,460	4 "
4,101 to 4,900	1,461 to 1,750	5 "
4,901 to 5,800	1,751 to 2,100	6 "
5,801 to 6,700	2,101 to 2,400	7 "
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 "
12,901 to 17,200	4,601 to 6,100	4 "
17,201 to 21,500	6,101 to 7,700	5 "
21,501 to 25,000	7,701 to 8,900	6 "
25,001 to 33,000	8,901 to 11,800	8 "
33,001 to 41,000	11,801 to 14,600	10 "
41,001 to 50,000	14,601 to 17,900	12 "
50,001 to 59,000	17,901 to 21,100	15 "
59,001 to 70,000	21,101 to 25,000	18 "
70,001 to 83,000	25,001 to 29,600	20 "
83,001 to 96,000	29,601 to 34,300	23 "
96,001 to 130,000	34,301 to 46,400	25 "
130,001 to 220,000	46,401 to 78,600	30 "
220,001 to 320,000	78,601 to 114,300	38 "
320,001 to 450,000	114,301 to 160,700	50 "
450,001 to 600,000	160,701 to 214,300	55 "
600,001 to 780,000	214,301 to 278,600	60 "
780,001 to 970,000	278,601 to 346,400	70 "
970,001 to 1,230,000	346,401 to 439,300	75 "
1,230,001 to 1,520,000	439,301 to 542,900	85 "
1,520,001 to 1,850,000	542,901 to 660,700	90 "
1,850,001 to 2,270,000	660,701 to 810,700	98 "
2,270,001 to 3,020,000	810,701 to 1,078,600	105 "
3,020,001 to 3,960,000	1,078,601 to 1,414,300	110 "
3,960,001 or more	1,414,301 or more	120 "

NOTE: Authority cited: Sections 208 and 4023.3, Health and Safety Code. Reference: Sections 4023.3, 4024 and 4026.4, Health and Safety Code.

HISTORY

1. Repealer and new section filed 7–1–92; operative 7–31–92 (Register 92, No. 28).
2. Amendment of subsections (a)–(b) filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Amendment of subsections (a)–(b) refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Amendment of subsections (a)–(b) refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64423.1. Sample Analysis and Reporting of Results.

(a) The water supplier shall designate (label) each sample as routine, repeat, replacement, or "other" pursuant to Section 64421(b), and have each sample analyzed for total coliforms. The supplier also shall require the laboratory to analyze the same sample for fecal coliforms or Escherichia coli (*E. coli*) whenever the presence of total coliforms is indicated. As a minimum, the analytical results shall be reported in terms of the

presence or absence of total or fecal coliforms, or *E. coli* in the sample, whichever is appropriate.

(b) The water supplier shall require the laboratory to notify the supplier within 24 hours, whenever the presence of total coliforms, fecal coliforms or *E. coli* is demonstrated in a sample or a sample is invalidated due to interference problems, pursuant to Section 64425(b), and shall ensure that a contact person is available to receive these analytical results 24–hours a day. The water supplier shall also require the laboratory to immediately notify the Department of any positive bacteriological results if the laboratory cannot make direct contact with the designated contact person within 24 hours.

(c) Analytical results of all required samples collected for a system in a calendar month shall be reported to the Department not later than the tenth day of the following month, as follows:

(1) The water supplier shall submit a monthly summary of the bacteriological monitoring results to the Department.

(2) For systems serving fewer than 10,000 service connections or 33,000 persons, the water supplier shall require the laboratory to submit copies of all required bacteriological monitoring results directly to the Department.

(3) For systems serving more than 10,000 service connections, or 33,000 persons, the water supplier shall require the laboratory to submit copies of bacteriological monitoring results for all positive routine samples and all repeat samples directly to the Department.

(d) Laboratory reports shall be retained by the water supplier for a period of at least five years and shall be made available to the Department upon request.

NOTE: Authority cited: Sections 100275 and 116375, Health and Safety Code. Reference: Section 116385, Health and Safety Code.

HISTORY

1. New section filed 7–1–92; operative 7–31–92 (Register 92, No. 28).
2. Amendment of subsection (b) and NOTE filed 5–15–2001; operative 6–14–2001 (Register 2001, No. 20).

§ 22–64424. Repeat Sampling.

(a) If a routine sample is total coliform–positive, the water supplier shall collect a repeat sample set as described in paragraph (a)(1) within 24 hours of being notified of the positive result. The repeat samples shall all be collected within the same 24 hour time period. A single service connection system may request that the Department allow the collection of the repeat sample set over a four–day period.

(1) For a water supplier that normally collects more than one routine sample a month, a repeat sample set shall be at least three samples for each total coliform–positive sample. For a water supplier that normally collects one or fewer samples per month, a repeat sample set shall be at least four samples for each total coliform–positive sample.

(2) If the water supplier is unable to collect the samples within the 24–hour time period specified in subsection (a) or deliver the samples to the laboratory within 24 hours after collection because of circumstances beyond its control, the water supplier shall notify the Department within 24 hours. The Department will then determine how much time the supplier will have to collect the repeat samples.

(b) When collecting the repeat sample set, the water supplier shall collect at least one repeat sample from the sampling tap where the original total coliform–positive sample was taken. Other repeat samples shall be collected within five service connections upstream or downstream of the original site. At least one sample shall be from upstream and one from downstream unless there is no upstream and/or downstream service connection.

(c) If one or more samples in the repeat sample set is total coliform–positive, the water supplier shall collect and have analyzed an additional set of repeat samples as specified in subsections (a) and (b). The supplier shall repeat this process until either no coliforms are detected in one complete repeat sample set or the supplier determines that the MCL for total coliforms specified in Section 64426.1 has been exceeded and notifies the Department.

(d) If a public water system for which fewer than five routine samples/month are collected has one or more total coliform–positive samples, the water supplier shall collect at least five routine samples the following month. If the supplier stops supplying water during the month after the total coliform–positive(s), at least five samples shall be collected during the first month the system resumes operation. A water supplier may request the Department waive the requirement to collect at least five routine samples the following month, but a waiver will not be granted solely on the basis that all repeat samples are total coliform–negative. To request a waiver, one of the following conditions shall be met:

(1) The Department conducts a site visit before the end of the next month the system provides water to the public to determine whether additional monitoring and/or corrective action is necessary to protect public health.

(2) The Department determines why the sample was total coliform–positive and establishes that the system has corrected the problem or will correct the problem before the end of the next month the system serves water to the public. If a waiver is granted, a system shall collect at least one routine sample before the end of the next month it serves water to the public and use it to determine compliance with Section 64426.1.

NOTE: Authority cited: Sections 208 and 4023.3, Health and Safety Code. Reference: Section 4023.3, Health and Safety Code.

HISTORY

1. New section filed 7–1–92; operative 7–31–92 (Register 92, No. 28).
2. Amendment of subsection (d) filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Amendment of subsection (d) refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Amendment of subsection (d) refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64425. Sample Invalidation.

(a) A water supplier may request the Department to invalidate a sample for which a total coliform–positive result has been reported if the supplier demonstrates:

(1) All repeat sample(s) collected at the same tap as the original total coliform–positive sample also are total coliform– positive and all repeat samples collected within five service connections of the original tap are not total coliform–positive; or

(2) The laboratory did not follow the prescribed analytical methods pursuant to Section 64415(a), based on a review of laboratory documentation by the Department. The supplier shall submit to the Department a written request for invalidation along with the laboratory documentation, the supplier's sample collection records and any observations noted during sample collection and delivery. The water supplier shall require the laboratory to provide the supplier with documentation which shall include, but not be limited to:

(A) A letter from the director of the laboratory having generated the data, confirming the invalidation request by reason of laboratory accident or error;

(B) Complete sample identification, laboratory sample log number (if used), date and time of collection, date and time of receipt by the laboratory, date and time of analysis for the sample(s) in question;

(C) Complete description of the accident or error alleged to have invalidated the result(s);

(D) Copies of all analytical, operating, and quality assurance records pertaining to the incident in question; and

(E) Any observations noted by laboratory personnel when receiving and analyzing the sample(s) in question.

(b) Whenever any total coliform sample result indicative of the absence of total coliforms has been declared invalid by the laboratory due to interference problems as specified at 40 Code Federal Regulations, Section 141.21(c)(2), the supplier shall collect a replacement sample from the same location as the original sample within 24 hours of being notified of the interference problem, and have it analyzed for the pres-

ence of total coliforms. The supplier shall continue to re–sample at the original site within 24 hours and have the samples analyzed until a valid result is obtained.

NOTE: Authority cited: Sections 208 and 4023.3, Health and Safety Code. Reference: Section 4023.3, Health and Safety Code.

HISTORY

1. Repealer and new section filed 7–1–92; operative 7–31–92 (Register 92, No. 28).

§ 22–64426. Significant Rise in Bacterial Count.

(a) Any of the following criteria shall indicate a possible significant rise in bacterial count:

(1) A system collecting at least 40 samples per month has a total coliform–positive routine sample followed by two total coliform–positive repeat samples in the repeat sample set;

(2) A system has a sample which is positive for fecal coliform or *E. coli*; or

(3) A system fails the total coliform Maximum Contaminant Level (MCL) as defined in Section 64426.1.

(b) When the coliform levels specified in subsection (a) are reached or exceeded, the water supplier shall:

(1) Contact the Department by the end of the day on which the system is notified of the test result or the system determines that it has exceeded the MCL, unless the notification or determination occurs after the Department office is closed, in which case the supplier shall notify the Department within 24 hours; and

(2) Submit to the Department information on the current status of physical works and operating procedures which may have caused the elevated bacteriological findings, or any information on community illness suspected of being waterborne. This shall include, but not be limited to:

(A) Current operating procedures that are or could potentially be related to the increase in bacterial count;

(B) Any interruptions in the treatment process;

(C) System pressure loss to less than 5 psi;

(D) Vandalism and/or unauthorized access to facilities;

(E) Physical evidence indicating bacteriological contamination of facilities;

(F) Analytical results of any additional samples collected, including source samples;

(G) Community illness suspected of being waterborne; and

(H) Records of the investigation and any action taken.

(c) Upon receiving notification from the Department of a significant rise in bacterial count, the water supplier shall implement the emergency notification plan required by Section 4029, Health and Safety Code.

NOTE: Authority cited: Sections 208 and 4023.3, Health and Safety Code. Reference: Section 4029, Health and Safety Code.

HISTORY

1. New section filed 7–1–92; operative 7–31–92 (Register 92, No. 28).

§ 22–64426.1. Total Coliform Maximum Contaminant Level (MCL).

(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the Department or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in Section 64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.

(b) A public water system is in violation of the total coliform MCL when any of the following occurs:

(1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform–positive; or

(2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform–positive; or

(3) Any repeat sample is fecal coliform–positive or E. coli–positive; or

(4) Any repeat sample following a fecal coliform–positive or E. coli–positive routine sample is total coliform–positive.

(c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the Department by the end of the business day on which this is determined, unless the determination occurs after the Department office is closed, in which case the supplier shall notify the Department within 24 hours of the determination. The water supplier shall also notify the consumers served by the water system. A Tier 2 Public Notice shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A Tier 1 Public Notice shall be given for violations of paragraphs (b)(3) or (4), pursuant to section 64463.1.

NOTE: Authority cited: Sections 100275 and 116375, Health and Safety Code. Reference: Section 116375, Health and Safety Code.

HISTORY

1. New section filed 7–1–92; operative 7–31–92 (Register 92, No. 28).
2. Amendment of subsection (c) and new subsection (d) filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Amendment of subsection (c) and new subsection (d) refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Amendment of subsection (c) and new subsection (d) refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order including repealer of subsection (d) transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).
6. Amendment of subsection (c) and amendment of NOTE filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64427. Sanitary Survey.

Systems which collect less than five routine samples per month shall be subject to an initial sanitary survey by the Department by June 29, 1994 for community water systems and June 29, 1999 for nontransient–noncommunity and transient–noncommunity water systems. Sanitary surveys shall be repeated every five years.

NOTE: Authority cited: Sections 208 and 4023.3, Health and Safety Code. Reference: Section 4023.3, Health and Safety Code.

HISTORY

1. New section filed 7–1–92; operative 7–31–92 (Register 92, No. 28).
2. Amendment filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Amendment refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Amendment refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64430. Best Available Technology (BAT).

NOTE: Authority cited: Section 4023.2, Health and Safety Code. Reference: Section 4021, Health and Safety Code.

HISTORY

1. New section filed 7–1–92; operative 7–31–92 (Register 92, No. 28).
2. Renumbering of former section 64430 to section 64447 filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Renumbering of former section 64430 to section 64447 refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Renumbering of former section 64430 to section 64447 refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64431. Maximum Contaminant Levels—Inorganic Chemicals.

(a) Public water systems shall comply with the primary MCLs in Table 64431–A as specified in this article.

Table 64431–A
Maximum Contaminant Levels
Inorganic Chemicals

Chemical	*Maximum Contaminant Level, mg/L*
Aluminum	1.
Antimony	0.006
Arsenic	0.05
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Mercury	0.002
Nickel	0.1
Nitrate (as NO_3)	45.
Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

* MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

NOTE: Authority cited: Sections 116293(b), 116350, 116365, 116375 and 131200, Health and Safety Code. Reference: Sections 116365, 116470 and 131051, Health and Safety Code.

HISTORY

1. Amendment of article heading, repealer of section and renumbering and amendment of former section 64435 to section 64431 filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day. For prior history, see Register 88, No. 51.
2. Amendment of article heading, repealer of section and renumbering and amendment of former section 64435 to section 64431 refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
3. Amendment of article heading, repealer of section, and renumbering and amendment of former section 64435 to section 64431 refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).
5. Amendment of subsection (a) and table 64431–A, repealer of table 64431–B and subsection (b) and amendment of NOTE filed 3–23–98; operative 4–22–98 (Register 98, No. 13).
6. Amendment of Table 64431–A and amendment of NOTE filed 5–13–2003; operative 6–12–2003 (Register 2003, No. 20).
7. Amendment of section and NOTE filed 9–18–2007; operative 10–18–2007 (Register 2007, No. 38).

§ 22–64433. System Requirements and Exemptions.

(a) Any public water system with 10,000 service connections or more that does not have a fluoridation system shall install such a system pursuant to the requirements in this article if the Department identifies a source of sufficient funds not excluded by Health and Safety Code section 116415 to cover capital and any associated costs necessary to install such a system. Installation shall be completed within two years of the date the funds are received by the water system; the water system may apply to the Department for an extension of the deadline. Following installation, if the Department identifies a source of sufficient funds not excluded by Health and Safety Code section 116415 to cover the noncapital operations and maintenance costs for the period of a year or more, the system shall fluoridate within three months of receiving the funds and shall continue fluoridating so long as such funds are received.

(b) Any public water system with 10,000 service connections or more that has a fluoridation system but ceased fluoridating prior to December 31, 1995 shall fluoridate the drinking water if its fluoridation system is determined to be capable of fluoridating the drinking water in compliance with Section 64433.2, based on a Departmental review, and the Department identifies a source of sufficient funds not excluded by Health and Safety Code section 116415 to cover the noncapital operations and maintenance costs for the period of a year or more. Such a system shall fluoridate within one month of receiving the funds and shall continue fluoridating so long as such funds are received.

(c) Any public water system required to install a fluoridation system pursuant to subsection (a) or required to fluoridate pursuant to subsection (b) shall annually submit an estimate of anticipated fluoridation operations and maintenance costs for the next fiscal year (July 1 through June 30) to the Department by the January 1 preceding that fiscal year.

(d) Any public water system with 10,000 service connections or more that has naturally–occurring fluoride and cannot demonstrate that it maintains an average annual fluoride level that is equal to or greater than the low level specified in the temperature–appropriate "control range" in Table 64433.2–A shall be subject to subsections (a) and (b).

(e) Any public water system which achieves 10,000 service connections or more subsequent to July 1, 1996, that does not have a fluoridation system, or that has naturally–occurring fluoride and meets the criteria in subsection (d) shall provide an estimate to the Department of capital and any associated costs necessary to install a fluoridation system within one year of achieving at least 10,000 service connections:

(f) Any public water system with 10,000 service connections or more shall be exempted from fluoridation in either of the following cases:

(1) The water system does not receive sufficient funds from a source identified by the Department and not excluded by Health and Safety Code section 116415 to cover the capital and associated costs needed to install a fluoridation system; or

(2) The water system received sufficient capital funds from a source identified by the Department and not excluded by Health and Safety Code section 116415 and subsequently installed a fluoridation system or the water system meets the criteria in subsection (b), and the water system did not receive sufficient funds from a source identified by the Department and not excluded by Health and Safety Code section 116415 to cover the noncapital operation and maintenance costs to fluoridate. The water system shall be exempted for any fiscal year (July 1 through June 30) for which it does not receive the funds for noncapital operation and maintenance costs.

NOTE: Authority cited: Sections 100275, 116410 and 116415, Health and Safety Code. Reference: Sections 116410 and 116415, Health and Safety Code.

HISTORY

1. New section filed 3–23–98; operative 4–22–98 (Register 98, No. 13). For prior history, see Register 95, No. 25.

§ 22–64435. Maximum Contaminant Levels.

NOTE: Authority cited: Sections 208 and 4023.3, Health and Safety Code. Reference: Sections 4010–4039.6, Health and Safety Code.

HISTORY

1. Amendment of subsections (a), (b) and (d) filed 1–22–88; operative 12–22–88 (Register 88, No. 51).
2. Amendment of subsection (a) filed 1–26–89; operative 2–25–89 (Register 89, No. 6).
3. Repealer of subsection (f) and renumbering and amendment of subsection (g) to subsection (f) filed 5–6–91; operative 6–5–91 (Register 91, No. 25).
4. Amendment of subsections (c) and (d)(2), repealer of subsection (e)(2) and (e)(3), new subsection (e)(2), and amendment of NOTE filed 5–27–92; operative 6–26–92 (Register 92, No. 22).
5. Renumbering of former section 64435 to section 64431 filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
6. Renumbering of former section 64435 to section 64431 refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
7. Renumbering and amendment of former section 64435 to section 64431 refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
8. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64437. Sampling of System Sources.

NOTE: Authority cited: Sections 208 and 4026, Health and Safety Code. Reference: Section 4024, Health and Safety Code.

HISTORY

1. New NOTE filed 12–7–84 (Register 84, No. 49).
2. Renumbering and amendment of former Section 64437 to Section 64447 filed 11–22–88; operative 12–22–88 (Register 88, No. 51).

§ 22–64439. Requirements.

Community water systems shall comply with the National Interim Primary Drinking Water Regulations for the control of Trihalomethanes in Drinking Water, Sections 141.2(p), (q), (r), (s) and (t), 141.6, 141.12 and 141.30 of Title 40, Code of Federal Regulations, as published in the November 29, 1979, Federal Register (Vol. 44, No. 231) and revised in the March 11, 1980, Federal Register (Vol. 45, No. 49), the December 16, 1998, Federal Register (Vol. 63, No. 241) and the January 16, 2001, Federal Register (Vol. 66, No. 10).

NOTE: Authority cited: Sections 100275 and 116385, Health and Safety Code. Reference: Sections 100275 and 116385, Health and Safety Code.

HISTORY

1. New Article 4.5 (Section 64439) filed 3–14–83; effective thirtieth day thereafter (Register 83, No. 12).
2. Amendment of section and NOTE filed 5–18–2006; operative 6–17–2006 (Register 2006, No. 20).

§ 22–64441. Natural Radioactivity.

NOTE: Authority cited: Sections 208 and 4026, Health and Safety Code. Reference: Section 4024, Health and Safety Code.

HISTORY

1. Amendment of subsections (a) and (c) filed 10–7–88; operative 1–1–89 (Register 88, No. 42).
2. Amendment of subsections (a) and (b) filed 11–22–88; operative 12–22–88 (Register 88, No. 51).
3. Repealer filed 5–12–2006; operative 6–11–2006 (Register 2006, No. 19).

§ 22–64443. MCLs and Monitoring — Beta Particle and Photon Radioactivity.

(a) Each community and nontransient–noncommunity water system (system) shall comply with the primary MCLs in table 64443 and use the DLRs for reporting monitoring results:

Table 64443
Radionuclide Maximum Contaminant Levels (MCLs)
and Detection Levels for Purposes of Reporting (DLRs)

Radionuclide	*MCL*	*DLR*
Beta/photon emitters	4 millirem/year annual dose equivalent to the total body or any internal organ	Gross Beta particle activity: 4 pCi/L
Strontium–90	8 pCi/L (= 4 millirem/yr dose to bone marrow)	
Tritium	20,000 pCi/L (= 4 millirem/yr dose to total body)	1,000 pCi/L

(b) Each system designated by the Department as vulnerable to contamination by nuclear facilities and/or a determination of vulnerability by a Source Water Assessment, as defined in section 63000.84, shall monitor to determine compliance with the MCLs in table 64443, as follows:

(1) Beginning within one quarter after being notified by the Department that the system is vulnerable, quarterly for beta/photon emitters and annually for tritium and strontium–90 at each water source, or every entry point to the distribution system that is representative of all sources being used under normal operating conditions, and shall conduct all monitoring at the same sample site(s) unless a change is approved by the Department, based on a review of the system and its historical water quality data;

(2) For quarterly monitoring, during the same month (first, second or third) of each quarter during each quarter monitored; and

(3) If the gross beta particle activity minus the naturally–occurring potassium–40 beta particle activity at a sampling site has a running annual average less than or equal to 50 pCi/L (screening level), reduce monitoring to a single sample for beta/photon emitters, tritium and strontium–90 once every three years (compliance monitoring period).

(c) Each system designated by the Department as utilizing waters contaminated by effluents from nuclear facilities on the basis of analytical data and/or a Source Water Assessment, shall:

(1) Beginning within one quarter after being notified by the Department of the above designation, monitor on an ongoing basis pursuant to paragraphs (A) through (C) at each sampling site:

(A) For beta/photon emitters, quarterly by analyzing three monthly samples and averaging the results or by analyzing a composite of three monthly samples;

(B) For iodine–131, quarterly by analyzing a composite of five consecutive daily samples, unless the Department has directed the system to do more frequent monitoring based on a detection of iodine–131 in the sampled water; and

(C) For strontium–90 and tritium, annually by analyzing four quarterly samples and averaging the results or by analyzing a composite of four quarterly samples.

(2) If the gross beta particle activity minus the naturally–occurring potassium–40 beta particle activity at a sampling site has a running annual average (computed quarterly) less than or equal to 15 pCi/L (screening level), reduce the frequency of monitoring to a single sample for beta/photon emitters, iodine–131, strontium–90 and tritium once every three years (compliance monitoring period).

(d) If the gross beta particle activity minus the naturally–occurring potassium–40 beta particle activity exceeds a system's screening level pursuant to Subsection (b)(3) or (c)(2):

(1) The sample shall be analyzed to identify the primary radionuclides present and the doses shall be calculated and summed to determine compliance with the MCL for beta particle/photon radioactivity; and

(2) Except for strontium–90 and tritium for which the MCLs provide the average annual concentrations assumed to produce a total body or organ dose equivalent to 4 millirem/year, the concentration of manmade radionuclides shall be calculated on the basis of 2 liters per day drinking water intake using the 168 hour data list in "Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure," NBS (National Bureau of Standards) Handbook 69 as amended August 1963, U.S. Department of Commerce. (See Title 40, Code of Federal Regulations, section 141.66(d)(2).)

(e) If a system analyzes for naturally–occurring potassium–40 beta particle activity from the same or equivalent samples used for the gross beta particle activity analysis, the potassium–40 beta particle activity shall be calculated by multiplying elemental potassium concentrations (in mg/L) by a factor of 0.82 pCi/mg.

(f) A system required to monitor under this section may use environmental surveillance data (collected by the nuclear facility to detect any radionuclide contamination) in lieu of monitoring, subject to the Department's determination that the data is applicable to the system based on a review of the data and the hydrogeology of the area. In the event that there is a release of radioactivity or radioactive contaminants from the nuclear facility, a system using environmental surveillance data shall begin the monitoring in paragraph (b)(1) or (c)(1)(A) through (C), whichever is most applicable.

(g) If a sample result is greater than an MCL:

(1) Compliance shall be determined as follows:

(A) At each sampling site, based on the analytical results for that site. Any confirmation sample result shall be averaged with the initial result.

(B) Using all monitoring results collected under this article during the previous 12 months, even if more than the minimum required number of samples was collected.

(C) By a running annual average of four consecutive quarters of sampling results where quarterly monitoring is required, or by an annual sample when applicable for tritium and strontium–90. Averages shall be

rounded to the same number of significant figures as the MCL for which compliance is being determined.

1. If any sample result will cause the annual average at any sample site to exceed the MCL, the system shall be out of compliance immediately after being notified of the result;

2. If a system has not analyzed the required number of samples, compliance shall be determined by the average of the samples collected at the site during the most recent 12 months; and

3. If a sample result is less than the DLR in 64443, zero shall be used to calculate the annual average.

(D) If the system can provide documentation that a sample was subject to sampling or analytical errors, the Department may invalidate the result based on its review of the documentation, the sampling result, and the historical sampling data.

(E) Each system shall ensure that the laboratory analyzing its samples collected for compliance with this article calculates and reports the sample-specific Minimum Detectable Activity at the 95% confidence level (MDA_{95}) along with the sample results. The MDA_{95} shall not exceed the DLR and is calculated as described in ANSI N42.23 Measurement and Associated Instrumentation Quality Assurance for Radiobioassay Laboratories, Appendix A.7.6. (September 10, 1995).

(2) If a sample has a gross beta/photon radioactivity level greater than the MCL:

(A) A system shall monitor monthly beginning the month after receiving a result greater than the MCL and continue monthly monitoring until an average of three consecutive monthly sample results does not exceed the MCL;

(B) The system shall then monitor quarterly until the average of four consecutive quarterly sample results does not exceed the MCL; and

(C) Subsequently, the system shall conduct the monitoring in paragraph (b)(1) or (c)(1)(A) through (C), whichever is most applicable.

NOTE: Authority cited: Sections 116325, 116350 and 116375, Health and Safety Code. Reference: Sections 116275, 116365 and 116385, Health and Safety Code; and Section 141.66(d)(2), Title 40, Code of Federal Regulations.

HISTORY

1. New NOTE filed 12-7-84 (Register 84, No. 49).
2. Amendment of subsection (c) filed 10-7-88; operative 1-1-89 (Register 88, No. 42).
3. Amendment of subsections (b) and (c), and renumbering of Table 5 to Table 4 filed 11-22-88; operative 12-22-88 (Register 88, No. 51).
4. Repealer and new section filed 5-12-2006; operative 6-11-2006 (Register 2006, No. 19).

§ 22-64444. Maximum Contaminant Levels—Organic Chemicals.

The MCLs for the primary drinking water chemicals shown in Table 64444-A shall not be exceeded in the water supplied to the public.

Table 64444-A
Maximum Contaminant Levels
Organic Chemicals

Chemical	*Maximum Contaminant Level, mg/L*
(a) Volatile Organic Chemicals (VOCs)	
Benzene	0.001
Carbon Tetrachloride	0.0005
1,2-Dichlorobenzene	0.6
1,4-Dichlorobenzene	0.005
1,1-Dichloroethane	0.005
1,2-Dichloroethane	0.0005
1,1-Dichloroethylene	0.006
cis-1,2-Dichloroethylene	0.006
trans-1,2-Dichloroethylene	0.01
Dichloromethane	0.005
1,2-Dichloropropane	0.005
1,3-Dichloropropene	0.0005
Ethylbenzene	0.3
Methyl-*tert*-butyl ether	0.013
Monochlorobenzene	0.07
Styrene	0.1
1,1,2,2-Tetrachloroethane	0.001
Tetrachloroethylene	0.005
Toluene	0.15
1,2,4-Trichlorobenzene	0.005
1,1,1-Trichloroethane	0.200
1,1,2-Trichloroethane	0.005
Trichloroethylene	0.005
Trichlorofluoromethane	0.15
1,1,2-Trichloro-1,2,2-Trifluoroethane	1.2
Vinyl Chloride	0.0005
Xylenes	1.750*
(b) Non-Volatile Synthetic Organic Chemicals (SOCs)	
Alachlor	0.002
Atrazine	0.001
Bentazon	0.018
Benzo(a)pyrene	0.0002
Carbofuran	0.018
Chlordane	0.0001
2,4-D	0.07
Dalapon	0.2
Dibromochloropropane	0.0002
Di(2-ethylhexyl)adipate	0.4
Di(2-ethylhexyl)phthalate	0.004
Dinoseb	0.007
Diquat	0.02
Endothall	0.1
Endrin	0.002
Ethylene Dibromide	0.00005
Glyphosate	0.7
Heptachlor	0.00001
Heptachlor Epoxide	0.00001
Hexachlorobenzene	0.001
Hexachlorocyclopentadiene	0.05
Lindane	0.0002
Methoxychlor	0.03
Molinate	0.02
Oxamyl	0.05
Pentachlorophenol	0.001
Picloram	0.5
Polychlorinated Biphenyls	0.0005
Simazine	0.004
Thiobencarb	0.07
Toxaphene	0.003
2,3,7,8-TCDD (Dioxin)	$3x10^{-8}$
2,4,5-TP (Silvex)	0.05

*MCL is for either a single isomer or the sum of the isomers.

NOTE: Authority cited: Sections 100275, 116350 and 116365, Health and Safety Code. Reference: Sections 116365, 116385 and 116555, Health and Safety Code.

HISTORY

1. Repealer of section and renumbering and amendment of section 64445.5 to section 64441 filed 9-8-94 as an emergency; operative 9-8-94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1-6-95 or emergency language will be repealed by operation of law on the following day. For prior history, see Register 90, No. 13.
2. Repealer of section and renumbering and amendment of section 64445.5 to section 64444 refiled 1-3-95 as an emergency; operative 1-3-95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-3-95 or emergency language will be repealed by operation of law on the following day.
3. Repealer of section and renumbering and amendment of former section 64444.5 to section 64444 refiled 4-26-95 as an emergency; operative 4-26-95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8-24-95 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 4-26-95 order including amendment of Table 64444-A transmitted to OAL 5-5-95 and filed 6-19-95 (Register 95, No. 25).
5. Editorial correction of Ethylene Dibromide entry (Register 95, No. 38).
6. Amendment of subsection (a) of Table and amendment of NOTE filed 4-17-2000; operative 5-17-2000 (Register 2000, No. 16).
7. Amendment of Table 64444-A filed 5-13-2003; operative 6-12-2003 (Register 2003, No. 20).

§ 22-64444.5. Maximum Contaminant Levels.

NOTE: Authority cited: Sections 208, 4021 and 4023.1, Health and Safety Code. Reference: Sections 4017, 4023.1 and 4024, Health and Safety Code.

HISTORY

1. New section filed 11-22-88; operative 12-22-88 (Register 89, No. 6).
2. New subsection (c) filed 1-26-89; operative 2-25-89 (Register 89, No. 6).
3. Amendment of subsection (c) filed 1-26-89; operative 2-25-89 (Register 89, No. 6).
4. Amendment of subsection (c) adding Ethylene Dibromide filed 1-26-89; operative 2-25-89 (Register 89, No. 6).
5. Amendment of subsection (c) filed 3-2-89; operative 4-1-89 (Register 89, No. 11).

6. Amendment of subsection (c) filed 3–6–89; operative 4–5–89 (Register 89, No. 11).
7. Amendment of subsection (c) (Table 5) filed 4–28–89; operative 5–28–89 (Register 89, No. 18).
8. Amendment of subsection (c) (Table 5) filed 6–26–89; operative 7–26–89 (Register 89, No. 26).
9. Amendment of subsection (c) (Table 5) filed 5–25–90; operative 7–1–90 (Register 90, No. 28).
10. Amendment of subsection (c) of Table 5 repealing the .0002 mcl for Dibromochloropropane filed 5–3–91 as an emergency; operative 5–3–91 (Register 91, No. 25). A Certificate of Compliance must be transmitted to OAL by 9–3–91 or emergency language will be repealed by operation of law on the following day.
11. Amendment of subsection (c) of Table 5 by adopting a .0002 mcl for 1,2–Dibromo–3–chloropropane filed 5–3–91 as an emergency; operative 5–3–91 (Register 91, No. 25). A Certificate of Compliance must be transmitted to OAL by 9–3–91 or emergency language will be repealed by operation of law on the following day.
12. Certificate of Compliance as to 5–3–91 order transmitted to OAL 7–31–91 and filed 8–28–91 (Register 91, No. 51).
13. Renumbering of section 64444.5 to section 64444 filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day. For prior history, see Register 91, No. 51.
14. Renumbering of section 64444.5 to section 64444 refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
15. Renumbering and amendment of former section 64444.5 to section 64444 refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
16. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64445. Initial Sampling—Organic Chemicals.

(a) Each community and nontransient–noncommunity water system shall collect four quarterly samples during the year designated by the Department of each compliance period beginning with the compliance period starting January 1, 1993, from each water source at a site prior to any treatment and test for all applicable organic chemicals listed in Table 64444–A. The Department will designate the year based on historical monitoring frequency and laboratory capacity. For surface sources, the samples shall be taken at each water intake. For groundwater sources, the samples shall be taken at each well head. Where multiple intakes or wells draw from the same water supply, the Department will consider sampling of representative sources as a means of complying with this section. Selection of representative sources shall be based on evidence which includes a hydrogeological survey and sampling results. Wells shall be allowed to flow for a minimum of 15 minutes before sampling to insure that the samples reflect the water quality of the source. In place of water source samples, a supplier may collect samples at sites located at the entry points to the distribution system. The samples shall be representative of each source after treatment. The system shall collect each sample at the same sampling site, unless a change is approved by the Department.

(b) For any organic chemical added to Table 64444–A, the water system shall initiate the quarterly monitoring for that chemical in January of the calendar year after the effective date of the MCL.

(c) A water system may request approval from the Department to composite samples from up to five sampling sites, provided that the number of the sites to be composited is less than the ratio of the MCL to the DLR in Section 64445.1. Approval will be based on a review of three years of historical data, well construction and aquifer information for groundwater, and intake location, similarity of sources, and watershed characteristics for surface water. Compositing shall be done in the laboratory and analyses shall be conducted within 14 days of sample collection.

(1) Systems serving more than 3,300 persons shall composite only from sampling sites within a single system. Systems serving 3,300 persons or less may composite among different systems up to the 5–sample limit.

(2) If any organic chemical is detected in the composite sample, a follow–up sample shall be analyzed within 14 days from each sampling site included in the composite for the contaminants which were detected. The water supplier shall report the results to the Department within 14 days of the follow–up sample collection. If available, duplicates of the original sample taken from each sampling site used in the composite may be used instead of resampling.

(d) A water system may apply to the Department for a monitoring waiver for one or more of the organic chemicals on Table 64444–A in accordance with the following:

(1) A source may be eligible for a waiver if it can be documented that the chemical has not been previously used, manufactured, transported, stored, or disposed of within the watershed or zone of influence and, therefore, that the source can be designated nonvulnerable.

(2) If previous use of the chemical locally is unknown or the chemical is known to have been used previously and the source cannot be designated nonvulnerable pursuant to Paragraph (d)(1), it may still be eligible for a waiver based on a review related to susceptibility to contamination. The application to the Department for a waiver based on susceptibility shall include the following:

(A) Previous monitoring results;

(B) user population characteristics;

(C) proximity to sources of contamination;

(D) surrounding land uses;

(E) degree of protection of the water source;

(F) environmental persistence and transport of the chemical in water, soil and air;

(G) elevated nitrate levels at the water supply source; and

(H) historical system operation and maintenance data including previous Departmental inspection results.

(3) To apply for a monitoring waiver for VOCs, the water system shall have completed the initial four quarters of monitoring pursuant to subsection (a) or three consecutive years of monitoring with no VOCs detected. If granted a waiver for VOC monitoring, a system using groundwater shall collect a minimum of one sample from every sampling site every six years and a system using surface water shall not be required to monitor for the term of the waiver. The term of a VOC waiver shall not exceed three years.

(4) To obtain a monitoring waiver for one or more of the SOCs, the water system may apply before doing the initial round of monitoring or shall have completed three consecutive years of annual monitoring with no detection of the SOC(s) listed. If the system is granted a waiver for monitoring for one or more SOC(s), no monitoring for the waived SOC(s) shall be required for the term of the waiver, which shall not exceed three years.

(e) For water sources designated by a water supplier as standby sources, the water supplier shall sample each source for any organic chemical added to Table 64444–A once within the three–year period beginning in January of the calendar year after the effective date of the MCL.

(f) Water quality data collected prior to January 1, 1988, for VOCs, or January 1, 1990, for SOCs, and/or data collected in a manner inconsistent with this section shall not be used in the determination of compliance with the monitoring requirements for organic chemicals.

(g) Data (i.e., a single sample) collected in a manner consistent with this section after January 1, 1998 in which no MTBE is detected, along with a designation of nonvulnerability pursuant to subsection (d), may be used to satisfy the initial monitoring requirements in subsection (a). If the requirements are satisfied in this way by a water system, the system shall begin annual monitoring pursuant to Section 64445.1(b)(1).

(h) Water quality data collected in compliance with the monitoring requirements of this section by a wholesaler agency providing water to a public water system shall be acceptable for use by that system for compliance with the monitoring requirements of this section.

NOTE: Authority cited: Sections 100275 and 116375, Health and Safety Code. Reference: Sections 116385 and 116555, Health and Safety Code.

HISTORY

1. New section filed 11-22-88; operative 12-22-88 (Register 88, No. 51).
2. Amendment of subsections (a) and (c) filed 3-12-90; operative 4-11-90 (Register 90, No. 13).
3. Amendment of section heading and subsections (a)-(b), repealer of subsection (c) and new subsections (c)-(d)(4), redesignation of former subsection (d) to subsection (e), new subsections (f)-(h) and amendment of NOTE filed 9-8-94 as an emergency; operative 9-8-94 (Register 94, No. 36).
4. Amendment of section heading and subsections (a)-(b), repealer of subsection (c) and new subsections (c)-(d)(4), redesignation of former subsection (d) to subsection (e), new subsections (f)-(h) and amendment of NOTE refiled 1-3-95 as an emergency; operative 1-3-95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5-3-95 or emergency language will be repealed by operation of law on the following day.
5. Amendment refiled 4-26-95 as an emergency; operative 4-26-95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8-24-95 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 4-26-95 order including amendment of subsections (a), (c)-(c)(1), (d)(1)-(2), (d)(3) and (g) transmitted to OAL 5-5-95 and filed 6-19-95 (Register 95, No. 25).
7. Amendment of subsections (d)(3), (e) and (g) and amendment of NOTE filed 4-17-2000; operative 5-17-2000 (Register 2000, No. 16).

§ 22-64445.1. Repeat Monitoring and Compliance—Organic Chemicals.

(a) For the purposes of this article, detection shall be defined by the detection limits for purposes of reporting (DLRs) in Table 64445.1-A:

Table 64445.1-A
Detection Limits for Purposes of Reporting (DLRs) for Regulated Organic Chemicals

Chemical	*Detection Limit for Purposes of Reporting (DLR) (mg/L)*
(a) All VOCs, except as listed	0.0005
Methyl-*tert*-butyl ether	0.003
Trichlorofluoromethane	0.005
1,1,2-Trichloro-1,2,2-Trifluoroethane	0.01
(b) SOCs	
Alachlor	0.001
Atrazine	0.0005
Bentazon	0.002
Benzo(a)pyrene	0.0001
Carbofuran	0.005
Chlordane	0.0001
2,4-D	0.01
Dalapon	0.01
Dibromochloropropane (DBCP)	0.00001
Di(2-ethylhexyl)adipate	0.005
Di(2-ethylhexyl)phthalate	0.003
Dinoseb	0.002
Diquat	0.004
Endothall	0.045
Endrin	0.0001
Ethylene dibromide (EDB)	0.00002
Glyphosate	0.025
Heptachlor	0.00001
Heptachlor epoxide	0.00001
Hexachlorobenzene	0.0005
Hexachlorocyclopentadiene	0.001
Lindane	0.0002
Methoxychlor	0.01
Molinate	0.002
Oxamyl	0.02
Pentachlorophenol	0.0002
Picloram	0.001
Polychlorinated biphenyls (PCBs) (as decachlorobiphenyl)	0.0005
Simazine	0.001
Thiobencarb	0.001
Toxaphene	0.001
2,3,7,8-TCDD (Dioxin)	$5x10^{-9}$
2,4,5-TP (Silvex)	0.001

(b) When organic chemicals are not detected pursuant to Table 64445.1-A.

(1) A water system, which has not detected any of the VOCs on Table 64444-A during the initial four quarters of monitoring, shall collect and analyze one sample annually. After a minimum of three years of annual sampling with no detection of a VOC in Table 64444-A, a system using groundwater may reduce the monitoring frequency to one sample during each compliance period. A system using surface water shall continue monitoring annually.

(2) A system serving more than 3,300 persons which has not detected an SOC on Table 64444-A during the initial four quarters of monitoring shall collect a minimum of two quarterly samples for that SOC in one year during the year designated by the Department of each subsequent compliance period. The year will be designated on the basis of historical monitoring frequency and laboratory capacity.

(3) A system serving 3,300 persons or less which has not detected an SOC on Table 64444-A during the initial four quarters of monitoring shall collect a minimum of one sample for that SOC during the year designated by the Department of each subsequent compliance period. The year will be designated on the basis of historical monitoring frequency and laboratory capacity.

(c) When organic chemicals are detected pursuant to Table 64445.1-A.

(1) Prior to proceeding with the requirements of paragraphs (c)(2) through (7), the water supplier may first confirm the analytical result, as follows: Within seven days from the notification of an initial finding from a laboratory reporting the presence of one or more organic chemicals in a water sample, the water supplier shall collect one or two additional sample(s) to confirm the initial finding. Confirmation of the initial finding shall be shown by the presence of the organic chemical in either the first or second additional sample, and the detected level of the contaminant for compliance purposes shall be the average of the initial and confirmation sample(s). The initial finding shall be disregarded if two additional samples do not show the presence of the organic chemical.

(2) If one or both of the related organic chemicals heptachlor and heptachlor epoxide are detected, subsequent monitoring shall analyze for both chemicals until there has been no detection of either chemical for one compliance period.

(3) A groundwater sampling site at which one or more of the following chemicals has been detected shall be monitored quarterly for vinyl chloride: trichloroethylene, tetrachloroethylene, 1,2-dichloroethane, 1,1,1-trichloroethane, cis-1,2-dichloroethylene, trans-1,2-dichloroethylene, or 1,1-dichloroethylene. If vinyl chloride is not detected in the first quarterly sample,the sampling site shall be monitored once for vinyl chloride during each compliance period.

(4) If the detected level of organic chemicals for any sampling site does not exceed any shown in Table 64444-A, the water source shall be resampled every three months and the samples analyzed for the detected chemicals. After one year of sampling an approved surface water system or two quarters of sampling a groundwater system, the Department will consider allowing the water supplier to reduce the sampling to once per year upon request, based on a review of previous sampling data. Systems shall monitor during the quarter(s) which previously yielded the highest analytical results.

(5) If the detected level of an organic chemical for any sampling site exceeds that listed in Table 64444-A, the water supplier shall report this information to the Department within 48 hours. Unless use of the contaminated source is discontinued, the water supplier shall resample the contaminated source as follows:

(A) Water systems serving more than 3,300 persons shall sample monthly for six months and shall submit the results to the Department as specified in Section 64451(a). A water source shall be deemed to be in compliance with Section 64444 if the average concentration of the initial finding, confirmation sample(s), and six subsequent monthly samples does not exceed the MCL shown in Table 64444-A. In such cases, the water supplier may reduce the sampling frequency to once every three months. If the average annual concentration of four quarterly samples exceeds the MCL the water source shall be deemed to be in violation of Section 64444. If any sample would cause the annual average to exceed the MCL, then the system is out of compliance immediately.

(B)Water systems serving 3,300 persons or less shall sample quarterly for one year and shall submit the results to the Department as specified in Section 64451(a). Compliance with Section 64444 shall be based on the average concentration of the initial finding, confirmation sample(s) if collected, and three subsequent quarterly samples. If any sample would cause the annual average to exceed the MCL, then the system is out of compliance immediately. If the average concentration does not exceed the MCL in Table 64444–A, the water supplier may reduce the sampling frequency to once every year during the quarter that previously yielded the highest analytical result. If the average concentration exceeds the MCL in Table 64444–A, the water system shall be deemed to be in violation of Section 64444. Subsequently, compliance shall be determined on the basis of a running annual average of the most recent four quarters of sample results.

(6) If any resample, other than those taken in accordance with (c)(5) of this section, of a water sampling site shows that the concentration of any organic chemical exceeds a MCL shown in Table 64444–A, the water supplier shall proceed in accordance with (c)(1) and (c)(4), or (c)(5).

(7) If an organic chemical is detected and the concentration exceeds ten times the MCL, the water supplier shall notify the Department within 48 hours of the receipt of the results and the contaminated site shall be resampled within 48 hours to confirm the result. The water supplier shall notify the Department of the result of the confirmation sample(s) within 24 hours of the receipt of the confirmation result(s).

(A) If the average concentration of the original and confirmation sample(s) is less than ten times the MCL, the water supplier shall proceed in accordance with subsection (c)(5).

(B) If the average concentration of the original and confirmation samples exceeds ten times the MCL, use of the contaminated water source shall immediately be discontinued. Such a water source shall not be returned to service without written approval from the Department

NOTE: Authority cited: Sections 100275, 116350 and 116375, Health and Safety Code. Reference: Sections 116385, 116450, 116460 and 116555, Health and Safety Code.

HISTORY

1. New section filed 11–22–88; operative 12–22–88 (Register 88, No. 51).
2. Amendment of section heading, text and NOTE filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Amendment of section heading, text and NOTE refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Amendment of section heading, text and NOTE refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order including amendment of subsections (b)(1)–(b)(3), (c)(1)–(2), and (c)(4)–(c)(5)(B) transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).
6. Amendment of subsection (a) of Table and amendment of NOTE filed 4–17–2000; operative 5–17–2000 (Register 2000, No. 16).
7. Amendment of Table 64445.1–A and amendment of NOTE filed 5–13–2003; operative 6–12–2003 (Register 2003, No. 20).

§ 22–64445.2. Sampling of Treated Water Sources.

(a) Each water supplier utilizing treatment to comply with any MCL for an organic chemical listed in Table 64444–A shall collect monthly samples of the treated water at a site prior to the distribution system. If the treated water exceeds the MCL, the water supplier shall resample the treated water to confirm the result and report the result to the Department within 48 hours of the confirmation.

(b) The Department will consider requiring more frequent monitoring based on an evaluation of (1) the treatment process used, (2) the treatment effectiveness and efficiency, and (3) the concentration of the organic chemical in the water source.

NOTE: Authority cited: Sections 208 and 4023.3.3, Health and Safety Code. Reference: Sections 4017 and 4024, Health and Safety Code.

HISTORY

1. New section filed 11–22–88; operative 12–22–88 (Register 88, No. 51).
2. Amendment of section and NOTE filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Amendment of section and NOTE refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Amendment of section and NOTE refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64447. Best Available Technology (BAT)—Microbiological Contaminants.

The technologies identified by the Department as the best available technology, treatment techniques, or other means available for achieving compliance with the total coliform MCL are as follows:

(a) Protection of wells from coliform contamination by appropriate placement and construction;

(b) Maintenance of a disinfectant residual throughout the distribution system;

(c) Proper maintenance of the distribution system; and

(d) Filtration and/or disinfection of approved surface water, in compliance with Section 64650, or disinfection of groundwater.

NOTE: Authority cited: Section 4023.2, Health and Safety Code. Reference: Section 4021, Health and Safety Code.

HISTORY

1. Repealer of article 5.6 heading and section, new article 12, and renumbering and amendment of former section 64430 to section 64447 filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day. For prior history, see Register 88, No. 51.
2. Repealer of article 5.6 heading and section, new article 12, and renumbering and amendment of former section 64430 to section 64447 refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
3. Repealer of article 5.6 heading and section, new article 12, and renumbering and amendment of former section 64430 to section 64447 refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64449.1. Applicability of Requirements.

NOTE: Authority cited: Sections 208, 4021 and 4023.3, Health and Safety Code. Reference: Sections 4017, 4024, 4026.3 and 4026.4, Health and Safety Code.

HISTORY

1. New section filed 3–12–90; operative 4–11–90 (Register 90, No. 13).
2. Renumbering and relocation of article 5.7 to article 17 and repealer of section filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Renumbering and relocation of article 5.7 to article 17 and repealer of section refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Renumbering and relocation of article 5.7 to article 17 and repealer of section refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64449.2. Waivers for Secondary MCL Compliance.

(a) If the average of four consecutive quarters of sample results for a constituent that does not have a primary MCL is not greater than three times the secondary MCL or greater than the State Notification Level, an existing community water system is eligible to apply for a nine–year waiver of a secondary MCL in Table 64449–A, for the following:

(1) An existing source; or

(2) A new source that is being added to the existing water system, as long as:

(A) The source is not being added to expand system capacity for further development; and

(B) The concentration of the constituent of concern in the new source would not cause the average value of the constituent's concentration at any point in the water delivered by the system to increase by more than 20%.

(b) To apply for a waiver of a secondary MCL, the community water system shall conduct and submit a study to the Department within one year of violating the MCL that includes the following:

(1) The water system complaint log, maintained pursuant to section 64453(a), along with any other evidence of customer dissatisfaction, such as a log of calls to the county health Department;

(2) An engineering report, prepared by an engineer registered in California and with experienced in drinking water treatment, that evaluates all reasonable alternatives and costs for bringing the water system into MCL compliance and includes a recommendation for the most cost–effective and feasible approach;

(3) The results of a customer survey distributed to all the water system's bill–payingbilled customers that has first been approved by the Department based on whether it includes:

(A) Estimated costs to individual customers of the most cost–effective alternatives presented in the engineering report that are acceptable to the Department based on its review of their effectiveness and feasibility;

(B) The query: "Are you willing to pay for *(identify constituent)* reduction treatment?";

(C) The query: "Do you prefer to avoid the cost of treatment and live with the current water quality situation?"

(D) The statement: "If you do not respond to this survey, *(insert system name)* will assume that you are in support of the reduction treatment recommended by the engineering report."

(4) A brief report (agenda, list of attendees, and transcript) of a public meeting held by the water system to which customers were invited, and at which both the tabulated results of the customer survey and the engineering report were presented with a request for input from the public.

(c) A community water system may apply for a waiver for iron and/or manganese if, in addition to meeting the requirements in Subsection (b), an average of four consecutive quarter results for the source has not exceeded a State Notification Level for iron and/or manganese. In addition, the system shall include sequestering, as follows:

(1) As one of the alternatives evaluated in the Engineering Report;

(2) In the customer survey as a query: "Are you willing to pay for iron and/or manganese sequestering treatment?"

(d) Unless 50% or more of the bill–payinged customers respond to the survey, the community water system shall conduct another survey pursuant to Subsections (b) or (c) within three months from the date of the survey by sending the survey out to either all the customers again, or only the customers that did not respond to the survey. The water system shall not be eligible for a waiver until it achieves at least a 50% response rate on the survey.

(e) If the customer survey indicates that the percentage of bill–payinged customers that voted for constituent reduction treatment and the number of bill–paying customers that did not respond to the survey at all exceeds 50% of the total number of bill–paying customers, the community water system shall install treatment, except as provided in Subsection (f), within three years from the date the system completed the customer survey, pursuant to a schedule established by the Department.

(f) For iron and/or manganese MCL waiver applications, if the percentage of survey respondents that voted for constituent reduction treatment plus the percentage of survey respondents that voted for sequestering exceeds the percentage that voted to avoid the cost and maintain the current water quality situation, the community water system shall implement either constituent reduction treatment or sequestering, on the basis of which was associated with the higher percentage result. If the highest percentage result is for sequestering, the system shall submit a sequestering implementation and assessment plan to the Department that includes:

(1) A description of the pilot testing or other type of evaluation performed to determine the most effective sequestering agent for use in the system's water;

(2) The sequestering agent feed rate and the equipment to be used to insure that the rate is maintained for each source;

(3) An operations plan; and

(4) The projected cost of sequestering including capital, operations and maintenance costs.

(g) To apply for renewal of a waiver for a subsequent nine years, the system shall request approval from the Department at least six months prior to the end of the current waiver period. The renewal request shall include all monitoring and treatment operations data for the constituent for which the waiver had been granted and any related customer complaints submitted to the water system. Based on its review of the data and customer complaints, the Department may require the water system to conduct another customer survey pursuant to this section before making a determination on the waiver renewal.

NOTE: Authority cited: Sections 100275 and 116375, Health and Safety Code. Reference: Sections 116385, 116455, 116555 and 116610, Health and Safety Code.

HISTORY

1. New section filed 8–28–2006; operative 9–27–2006 (Register 2006, No. 35). For prior history, see Register 95, No. 25.

§ 22–64449.3. Repeat Sampling.

NOTE: Authority cited: Sections 208, 4021 and 4023.3, Health and Safety Code. Reference: Sections 4017, 4024, 4026.3 and 4026.4, Health and Safety Code.

HISTORY

1. Repealer filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
2. Repealer refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
3. Repealer refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64449.4. Use of Sources that Exceed a Secondary MCL and Do Not Have a Waiver.

A source that exceeds one or more of the secondary MCLs in Table 64449–A and does not have a waiver may be used only if the source meets the requirements in Section 64414, and the community water system:

(a) Meters the source's monthly production and submits the results to the Department by the 10th day of the next month;

(b) Counts any part of a day as a full day for purposes of determining compliance with Section 64414(c);

(c) As a minimum, conducts public notification by including information on the source's use (dates, constituent levels, and reasons) in the Consumer Confidence Report (Sections 64480 through 64483);

(d) Provides public notice prior to use of the source by electronic media, publication in a local newspaper, and/or information in the customer billing, if the situation is such that the water system can anticipate the use of the source (e.g., to perform water system maintenance); and

(e) Takes corrective measures such as flushing after the source is used to minimize any residual levels of the constituent in the water distribution system.

NOTE: Authority cited: Sections 100275 and 116375, Health and Safety Code. Reference: Sections 116385, 116555 and 116610, Health and Safety Code.

HISTORY

1. New section filed 8–28–2006; operative 9–27–2006 (Register 2006, No. 35). For prior history, see Register 95, No. 25.

§ 22–64449.5. Distribution System Physical Water Quality.

(a) The water supplier shall determine the physical water quality in the distribution system. This determination shall be based on one or more of the following:

(1) Main flushing operations and flushing records.

(2) Consumer complaint records showing location, nature and duration of the physical water quality problem.

(3) Other pertinent data relative to physical water quality in the distribution system.

(b) If the Department determines that a water system does not have sufficient data on physical water quality in the distribution system to make the determination required in paragraph (a), the water supplier shall collect samples for the following general physical analyses: color, odor, and turbidity. Samples shall be collected from representative points in the distribution system:

(1) For community water systems with 200 to 1,000 service connections: one sample per month.

(2) For community water systems with greater than 1,000 service connections: one sample for every four bacteriological samples required per month.

(3) For community water systems with less than 200 service connections: as established by the local health officer or the Department.

(c) Odor samples required as a part of general physical analyses may be examined in the field as per Section 64415(b).

(d) The distribution system water of public water systems shall be free from significant amounts of particulate matter.

NOTE: Authority cited: Sections 208 and 4023.3, Health and Safety Code. Reference: Section 4024, Health and Safety Code.

HISTORY

1. Repealer of former section 64449.5 and renumbering and amendment of former section 64475 to section 64449.5 filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day. For prior history, see Register 90, No. 13.
2. Repealer of former section 64449.5 and renumbering and amendment of former section 64475 to section 64449.5 refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
3. Repealer of former section 64449.5 and renumbering and amendment of former section 64475 to section 64449.5 refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 4–26–95 order including amendment of subsection (b) and NOTE transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64449.7. Exemptions.

NOTE: Authority cited: Sections 208, 4021 and 4923.3, Health and Safety Code. Reference: Sections 4017, 4024, 4026.3 and 4026.4, Health and Safety Code.

HISTORY

1. New section filed 3–12–90; operative 4–11–90 (Register 90, No. 13).
2. Repealer filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Repealer refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Repealer refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64451. Reporting Requirements.

NOTE: Authority cited: Sections 100275 and 116375, Health and Safety Code. Reference: Section 116385, Health and Safety Code.

HISTORY

1. New NOTE filed 12–7–84 (Register 84, No. 49).
2. Amendment filed 11–22–88; operative 12–22–88 (Register 88, No. 51).
3. Renumbering of article 6 to article 18 and repealer and new subsection (b) filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
4. Renumbering of article 6 to article 18 and repealer and new subsection (b) refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
5. Renumbering of article 6 to article 18 and amendment refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 4–26–95 order including amendment of NOTE transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).
7. Amendment of subsections (a) and (b), new subsection (c) and amendment of NOTE filed 5–15–2001; operative 6–14–2001 (Register 2001, No. 20).
8. Change without regulatory effect amending subsection (c) filed 8–24–2001 pursuant to section 100, title 1, California Code of Regulations (Register 2001, No. 34).
9. Renumbering and amendment of former article 18 to article 19 and renumbering of former section 64451 to new section 64469 filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64453. Record Maintenance.

NOTE: Authority cited: Sections 208 and 4026, Health and Safety Code. Reference: Section 4024, Health and Safety Code.

HISTORY

1. New NOTE filed 12–7–84 (Register 84, No. 49).
2. Renumbering of former section 64453 to new section 64470 filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64461. Significant Rise in Bacterial Count Notification.

HISTORY

1. Repealer filed 7–1–92; operative 7–31–92 (Register 92, No. 28).
2. Renumbering of article 7 to article 19 filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Renumbering of article 7 to article 19 refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Renumbering of article 7 to article 19 refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).
6. Renumbering and amendment of former article 19 to article 18 filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64463. General Public Notification Requirements.

(a) Each public (community, nontransient–noncommunity and transient–noncommunity) water system shall give public notice to persons served by the water system pursuant to this article.

(b) Each water system required to give public notice shall submit the notice to the Department for approval prior to distribution or posting, unless otherwise directed by the Department.

(c) Each wholesaler shall give public notice to the owner or operator of each of its retailer systems. A retailer is responsible for providing public notice to the persons it serves. If the retailer arranges for the wholesaler to provide the notification, the retailer shall notify the Department prior to the notice being given.

(d) Each water system that has a violation of any of the regulatory requirements specified in subsections 64463.1(a), 64463.4(a) or 64463.7(a) in a portion of the distribution system that is physically or hydraulically isolated from other parts of the distribution system may limit distribution of the notice to only persons served by that portion of the system that is out of compliance, if the Department has granted written approval on the basis of a review of the water system and the data leading to the violation or occurrence for which notice is being given.

(e) Each water system shall give new customers public notice of any acute violation as specified in subsection 64463.1(a) that occurred within the previous thirty days, any continuing violation, the existence of a variance or exemption, and/or any other ongoing occurrence that the Department has determined poses a potential risk of adverse effects on human health [based on a review of estimated exposures and toxicological data associated with the contaminant(s)] and requires a public notice. Notice to new customers shall be given as follows:

(1) Community water systems shall give a copy of the most recent public notice prior to or at the time service begins; and

(2) Noncommunity water systems shall post the most recent public notice in conspicuous locations for as long as the violation, variance, exemption, or other occurrence continues.

NOTE: Authority cited: Sections 116325, 116350 and 116375, Health and Safety Code. Reference: Section 116450, Health and Safety Code.

HISTORY

1. New section filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31). For prior history, see Register 92, No. 22.

§ 22–64463.1. Tier 1 Public Notice.

(a) Each water system shall give public notice pursuant to this section and section 64465 if any of the following occurs:

(1) Violation of the total coliform MCL when:

(A) Fecal coliform or *E. coli* are present in the distribution system, or

(B) When any repeat sample tests positive for coliform and the water system fails to test for fecal coliforms or *E. coli* in the repeat sample;

(2) Violation of the MCL for nitrate, nitrite, or total nitrate and nitrite, or when the water system fails to take a confirmation sample within 24 hours of the system's receipt of the first sample showing an exceedance of the nitrate or nitrite MCL;

(3) Violation of a Chapter 17 treatment technique requirement resulting from a single exceedance of a maximum allowable turbidity level if:

(A) The Department determines after consultation with the water system and a review of the data that a Tier 1 public notice is required, or

(B) The consultation between the Department and the water system does not take place within 24 hours after the water system learns of the violation;

(4) Occurrence of a waterborne microbial disease outbreak, as defined in section 64651.91 or other waterborne emergency, a failure or significant interruption in water treatment processes, a natural disaster that disrupts the water supply or distribution system, or a chemical spill or unexpected loading of possible pathogens into the source water that has the potential for adverse effects on human health as a result of short–term exposure;

(5) Other violation or occurrence that has the potential for adverse effects on human health as a result of short–term exposure, as determined by the Department based on a review of all available toxicological and analytical data; or

(6) Violation of the MCL for perchlorate or when a system is unable to resample within 48 hours of the system's receipt of the first sample showing an exceedance of the perchlorate MCL as specified in section 64432.3(d)(3).

(b) As soon as possible within 24 hours after learning of any of the violations in subsection (a) or being notified by the Department that it has determined there is a potential for adverse effects on human health [pursuant to paragraph (a)(4), (5), or (6)], the water system shall:

(1) Give public notice pursuant to this section

(2) Initiate consultation with the Department within the same timeframe; and

(3) Comply with any additional public notice requirements that are determined by the consultation to be necessary to protect public health.

(c) Each water system shall deliver the public notice in a manner designed to reach residential, transient, and nontransient users of the water system and shall use, as a minimum, one of the following forms:

(1) Radio or television;

(2) Posting in conspicuous locations throughout the area served by the water system;

(3) Hand delivery to persons served by the water system; or

(4) Other method approved by the Department, based on the method's ability to inform water system users.

NOTE: Authority cited: Sections 116325, 116350, 116375 and 131200, Health and Safety Code. Reference: Sections 116450 and 131051, Health and Safety Code.

HISTORY

1. New section filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31). For prior history, see Register 2001, No. 17.
2. Amendment of subsections (a)(4)–(5), new subsection (a)(6) and amendment of subsection (b) and NOTE filed 9–18–2007; operative 10–18–2007 (Register 2007, No. 38).

§ 22–64463.2. Reporting and Notification of Unregulated Organic Chemicals Monitoring.

NOTE: Authority cited: Sections 208, 4021 and 4023.3, Health and Safety Code. Reference: Sections 4017, 4024 and 4028, Health and Safety Code.

HISTORY

1. New section filed 3–12–90; operative 4–11–90 (Register 90, No. 13).
2. Repealer filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64464.1. Notification Methods.

NOTE: Authority cited: Sections 208, 4023.3 and 4028, Health and Safety Code. Reference: Sections 4010–4039.6, Health and Safety Code.

HISTORY

1. New section filed 5–27–92; operative 6–26–92 (Register 92, No. 22).
2. Repealer filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64464.3. Public Notification—Water Quality Failure.

NOTE: Authority cited: Sections 100275, 116375 and 116450, Health and Safety Code. Reference: Sections 116270–116751, Health and Safety Code.

HISTORY

1. New section filed 5–27–92; operative 6–26–92 (Register 92, No. 22).
2. Amendment of subsection (a)(1), redesignation of subsections (b)(1)(A)–(D), amendment of subsection (b)(2), redesignation of subsections (b)(2)(A)–(C) and redesignation and amendment of subsection (b)(2)(D) filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Amendment of subsection (a)(1), redesignation of subsections (b)(1)(A)–(D), amendment of subsection (b)(2), redesignation of subsections (b)(2)(A)–(C) and redesignation and amendment of subsection (b)(2)(D) refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Amendment refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order including amendment of subsection (a)(1) transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).
6. Amendment of subsection (a)(1) and NOTE filed 5–18–2006; operative 6–17–2006 (Register 2006, No. 20).
7. Repealer filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64464.6. Public Notification—Procedural Failure.

NOTE: Authority cited: Sections 100275, 116425 and 116450, Health and Safety Code. Reference: Sections 116270–116751, Health and Safety Code.

HISTORY

1. New section filed 5–27–92; operative 6–26–92 (Register 92, No. 22).
2. Amendment of subsection (a)(1), redesignation of subsections (b)(1)(A)–(D), amendment of subsection (b)(2), redesignation of subsections (b)(2)(A)–(C) and redesignation and amendment of subsection (b)(2)(D) filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Amendment of subsection (a)(1), redesignation of subsections (b)(1)(A)–(D), amendment of subsection (b)(2), redesignation of subsections (b)(2)(A)–(C) and redesignation and amendment of subsection (b)(2)(D) refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Amendment refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).
6. Amendment of subsection (a)(1) and NOTE filed 5–18–2006; operative 6–17–2006 (Register 2006, No. 20).
7. Repealer filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64465. Public Notice Content and Format.

(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:

(1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);

(2) The date(s) of the violation or occurrence;

(3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465–A through G;

(4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;

(5) Whether alternative water supplies should be used;

(6) What actions consumers should take, including when they should seek medical help, if known;

(7) What the water system is doing to correct the violation or occurrence;

(8) When the water system expects to return to compliance or resolve the occurrence;

(9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;

(10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: "Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail"; and

(11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During *[compliance period dates]*, we *['did not monitor or test'* or *'did not complete all monitoring or testing']* for *[contaminant(s)]*, and therefore, cannot be sure of the quality of your drinking water during that time."

(b) A Tier 3 public notice for a water system operating under a variance or exemption shall include the elements in this subsection. If a water system has violated its variance or exemption conditions, the public notice shall also include the elements in subsection (a).

(1) An explanation of the reasons for the variance or exemption;

(2) The date on which the variance or exemption was issued;

(3) A brief status report on the steps the water system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and

(4) A notice of any opportunity for public input in the review of the variance or exemption.

(c) Each public notice given pursuant to this article shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish–speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish. For each non–English speaking group other than Spanish–speaking that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice shall:

(1) Contain information in the appropriate language(s) regarding the importance of the notice, or

(2) Contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

(d) Each public notice given pursuant to this article shall:

(1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth–grade level;

(2) Not contain technical language beyond an eighth–grade level or print smaller than 12 point; and

(3) Not contain language that minimizes or contradicts the information being given in the public notice.

Appendix 64465–A. Health Effects Language Microbiological Contaminants.

Contaminant	*Health Effects language*
Total Coliform	Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially–harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.
Fecal coliform/*E.Coli*	Fecal coliforms and *E. coli* are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause short–term effects, such as diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, some of the elderly, and people with severely compromised immune systems.
Turbidity	Turbidity has no health effects. However, high levels of turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease–causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

Appendix 64465–B. Health Effects Language Surface Water Treatment

Contaminant	*Health Effects language*
Giardia lamblia Viruses Heterotrophic plate count bacteria Legionella Cryptosporidium	Inadequately treated water may contain disease–causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches.

Appendix 64465–C. Health Effects Language Radioactive Contaminants.

Contaminant	*Health Effects Language*
Gross Beta particle activity	Certain minerals are radioactive and may emit forms of radiation known as photons and beta radiation. Some people who drink water containing beta and photon emitters in excess of the MCL over many years may have an increased risk of getting cancer.
Strontium–90	Some people who drink water containing strontium–90 in excess of the MCL over many years may have an increased risk of getting cancer.
Tritium	Some people who drink water containing tritium in excess of the MCL over many years may have an increased risk of getting cancer.
Gross Alpha particle activity	Certain minerals are radioactive and may emit a form of radiation known as alpha radiation. Some people who drink water containing alpha emitters in excess of the MCL over many years may have an increased risk of getting cancer.
Combined Radium 226/228	Some people who drink water containing radium 226 or 228 in excess of the MCL over many years may have an increased risk of getting cancer.
Uranium	Some people who drink water containing uranium in excess of the MCL over many years may have kidney problems or an increased risk of getting cancer.

Appendix 64465–D. Health Effects Language Inorganic Contaminants.

Contaminant	*Health Effects Language*
Aluminum	Some people who drink water containing aluminum in excess of the MCL over many years may experience short–term gastrointestinal tract effects.
Antimony	Some people who drink water containing antimony in excess of the MCL over many years may experience increases in blood cholesterol and decreases in blood sugar.

Contaminant	*Health Effects Language*
Arsenic	Some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, and may have an increased risk of getting cancer.
Asbestos	Some people who drink water containing asbestos in excess of the MCL over many years may have an increased risk of developing benign intestinal polyps.
Barium	Some people who drink water containing barium in excess of the MCL over many years may experience an increase in blood pressure.
Beryllium	Some people who drink water containing beryllium in excess of the MCL over many years may develop intestinal lesions.
Cadmium	Some people who drink water containing cadmium in excess of the MCL over many years may experience kidney damage.
Chromium	Some people who use water containing chromium in excess of the MCL over many years may experience allergic dermatitis.
Copper	Copper is an essential nutrient, but some people who drink water containing copper in excess of the action level over a relatively short amount of time may experience gastrointestinal distress. Some people who drink water containing copper in excess of the action level over many years may suffer liver or kidney damage. People with Wilson's Disease should consult their personal doctor.
Cyanide	Some people who drink water containing cyanide in excess of the MCL over many years may experience nerve damage or thyroid problems.
Fluoride	*For the Consumer Confidence Report:* Some people who drink water containing fluoride in excess of the federal MCL of 4 mg/L over many years may get bone disease, including pain and tenderness of the bones. Children who drink water containing fluoride in excess of the state MCL of 2 mg/L may get mottled teeth. *For a Public Notice:* This is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/L) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis). The drinking water provided by your community water system [*name*] has a fluoride concentration of [*insert value*] mg/L. Dental fluorosis may result in a brown staining and/or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride–containing products. Older children and adults may safely drink the water. Drinking water containing more than 4 mg/L of fluoride can increase your risk of developing bone disease. For more information, please call [*water system contact name*] of [*water system name*] at [*phone number*]. Some home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call the California Department of Public Health's Water Treatment Device Unit at (916) 449–5600.
Lead	Infants and children who drink water containing lead in excess of the action level may experience delays in their physical or mental development. Children may show slight deficits in attention span and learning abilities. Adults who drink this water over many years may develop kidney problems or high blood pressure.
Mercury	Some people who drink water containing mercury in excess of the MCL over many years may experience mental disturbances, or impaired physical coordination, speech and hearing.
Nickel	Some people who drink water containing nickel in excess of the MCL over many years may experience liver and heart effects.
Nitrate	Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. High nitrate levels may also affect the oxygen–carrying ability of the blood of pregnant women.
Nitrite	Infants below the age of six months who drink water containing nitrite in excess of the MCL may become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blueness of the skin.
Perchlorate	Perchlorate has been shown to interfere with uptake of iodide by the thyroid gland, and to thereby reduce the production of thyroid hormones, leading to adverse affects associated with inadequate hormone levels. Thyroid hormones are needed for normal prenatal growth and development of the fetus, as well as for normal growth and development in the infant and child. In adults, thyroid hormones are needed for normal metabolism and mental function.
Selenium	Selenium is an essential nutrient. However, some people who drink water containing selenium in excess of the MCL over many years may experience hair or fingernail losses, numbness in fingers or toes, or circulation system problems.
Thallium	Some people who drink water containing thallium in excess of the MCL over many years may experience hair loss, changes in their blood, or kidney, intestinal, or liver problems.

Appendix 64465–E. Health Effects Language Volatile Organic Contaminants.

Contaminant	*Health Effects Language*
Benzene	Some people who use water containing benzene in excess of the MCL over many years may experience anemia or a decrease in blood platelets, and may have an increased risk of getting cancer.
Carbon Tetrachloride	Some people who use water containing carbon tetrachloride in excess of the MCL over many years may experience liver problems and may have an increased risk of getting cancer.
1,2–Dichlorobenzene	Some people who drink water containing 1,2–dichlorobenzene in excess of the MCL over many years may experience liver, kidney, or circulatory system problems.
1,4–Dichlorobenzene	Some people who use water containing 1.4–dichlorobenzenein in excess of the MCL over many years may experience anemia, liver, kidney, or spleen damage, or changes in their blood.
1,1–Dichloroethane	Some people who use water containing 1,1–dichloroethane in excess of the MCL over many years may experience nervous system or respiratory problems.
1,2–Dichloroethane	Some people who use water containing 1,2– dichloroethane in excess of the MCL over many years may have an increased risk of getting cancer.
1,1–Dichloroethylene	Some people who use water containing 1,1–dichloroethylene in excess of the MCL over many years may experience liver problems.
cis–1,2–Dichloroethylene	Some people who use water containing cis–1,2–dichloroethylene in excess of the MCL over many years may experience liver problems.
trans–1,2–Dichloroethylene	Some people who drink water containing trans–1,2–dichloroethylene in excess of the MCL over many years may experience liver problems.
Dichloromethane	Some people who drink water containing dichloromethane in excess of the MCL over many years may experience liver problems and may have an increased risk of getting cancer.
1,2–Dichloropropane	Some people who use water containing 1,2–dichloropropane in excess of the MCL over many years may have an increased risk of getting cancer.

Contaminant	*Health Effects Language*
1,3–Dichloropropene	Some people who use water containing 1,3–dichloropropene in excess of the MCL over many years may have an increased risk of getting cancer.
Ethylbenzene	Some people who use water containing ethylbenzene in excess of the MCL over many years may experience liver or kidney problems.
Methyl–tert–butyl ether	Some people who use water containing methyl–tert–butyl ether in excess of the MCL over many years may have an increased risk of getting cancer.
Monochlorobenzene	Some people who use water containing monochlorobenzene in excess of the MCL over many years may experience liver or kidney problems.
Styrene	Some people who drink water containing styrene in excess of the MCL over many years may experience liver, kidney, or circulatory system problems.
1,1,2,2–Tetrachloroethane	Some people who drinking water containing 1,1,2,2–tetrachloroethane in excess of the MCL over many years may experience liver or nervous system problems.
Tetrachloroethylene	Some people who use water containing tetrachloroethylene in excess of the MCL over many years may experience liver problems, and may have an increased risk of getting cancer.
1,2,4–Trichlorobenzene	Some people who use water containing 1,2,4–trichlorobenzene in excess of the MCL over many years may experience adrenal gland changes.
1,1,1,–Trichloroethane	Some people who use water containing 1,1,1–trichloroethane in excess of the MCL over many years may experience liver, nervous system, or circulatory system problems.
1,1,2–Trichloroethane	Some people who use water containing 1,1,2– trichloroethane in excess of the MCL over many years may experience liver, kidney, or immune system problems.
Trichloroethylene (TCE)	Some people who use water containing trichloroethylene in excess of the MCL over many years may experience liver problems and may have an increased risk of getting cancer.
Toluene	Some people who use water containing toluene in excess of the MCL over many years may experience nervous system, kidney, or liver problems.
Trichlorofluoromethane	Some people who use water containing trichlorofluoromethane in excess of the MCL over many years may experience liver problems.
1,1,2–Trichloro–1,2,2–trifluoroethane	Some people who use water containing 1,1,2–trichloro–1,2,2–trifluoroethane in excess of the MCL over many years may experience liver problems.
Vinyl Chloride	Some people who use water containing vinyl chloride in excess of the MCL over many years may have an increased risk of getting cancer.
Xylenes	Some people who use water containing xylenes in excess of the MCL over many years may experience nervous system damage.

Appendix 64465–F. Health Effects Language Synthetic Organic Contaminants.

Contaminant	*Health Effects Language*
2,4–D	Some people who use water containing the weed killer 2,4–D in excess of the MCL over many years may experience kidney, liver, or adrenal gland problems.
2,4,5–TP (Silvex)	Some people who drink water containing Silvex in excess of the MCL over many years may experience liver problems.
Alachlor	Some people who use water containing alachlor in excess of the MCL over many years may experience eye, liver, kidney, or spleen problems, or experience anemia, and may have an increased risk of getting cancer.
Atrazine	Some people who use water containing atrazine in excess of the MCL over many years may experience cardiovascular system problems or reproductive difficulties.
Bentazon	Some people who drink water containing bentazon in excess of the MCL overy many year may experience prostate and gastrointestinal effects.
Benzo(a)pyrene [PAH]	Some people who use water containing benzo(a)pyrene in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.
Carbofuran	Some people who use water containing carbofuran in excess of the MCL over many years may experience problems with their blood, or nervous or reproductive system problems.
Chlordane	Some people who use water containing chlordane in excess of the MCL over many years may experience liver or nervous system problems, and may have an increased risk of getting cancer.
Dalapon	Some people who drink water containing dalapon in excess of the MCL over many years may experience minor kidney changes.
Dibromochloropropane (DBCP)	Some people who use water containing DBCP in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.
Di (2–ethylhexyl) adipate	Some people who drink water containing di(2–ethylhexyl) adipate in excess of the MCL over many years may experience weight loss, liver enlargement, or possible reproductive difficulties.
Di (2–ethylhexyl) phthalate	Some people who use water containing di(2–ethylhexyl) phthalate well in excess of the MCL over many years may experience liver problems or reproductive difficulties, and may have an increased risk of getting cancer.
Dinoseb	Some people who drink water containing dinoseb in excess of the MCL over many years may experience reproductive difficulties.
Dioxin (2,3,7,8–TCDD):	Some people who use water containing dioxin in excess of the MCL over many years may experience reproductive difficulties and may have an increased risk of getting cancer.
Diquat	Some people who drink water containing diquat in excess of the MCL over many years may get cataracts.
Endothall	Some people who drink water containing endothall in excess of the MCL over many years may experience stomach or intestinal problems.
Endrin	Some people who drink water containing endrin in excess of the MCL over many years may experience liver problems.
Ethylene dibromide (EDB)	Some people who use water containing ethylene dibromide in excess of the MCL over many years may experience liver, stomach, reproductive system, or kidney problems, and may have an increased risk of getting cancer.
Glyphosate	Some people who drink water containing glyphosate in excess of the MCL over many years may experience kidney problems or reproductive difficulties.
Heptachlor	Some people who use water containing heptachlor in excess of the MCL over many years may experience liver damage and may have an increased risk of getting cancer.
Heptachlor epoxide	Some people who use water containing heptachlor epoxide in excess of the MCL over many years may experience liver damage, and may have an increased risk of getting cancer.
Hexachlorobenzene	Some people who drink water containing hexachlorobenzene in excess of the MCL over many years may experience liver or kidney problems, or adverse reproductive effects, and may have an increased risk of getting cancer.
Hexachlorocyclopentadiene	Some people who use water containing hexachlorocyclopentadiene in excess of the MCL over many years may experience kidney or stomach problems.
Lindane	Some people who drink water containing lindane in excess of the MCL over many years may experience kidney or liver problems.
Methoxychlor	Some people who drink water containing methoxychlor in excess of the MCL over many years may experience reproductive difficulties.
Molinate (Ordram)	Some people who use water containing molinate in excess of the MCL over many years may experience reproductive effects.
Oxamyl [Vydate]:	Some people who drink water containing oxamyl in excess of the MCL over many years may experience slight nervous system effects.

Contaminant	*Health Effects Language*
PCBs [Polychlorinated biphenyls]:	Some people who drink water containing PCBs in excess of the MCL over many years may experience changes in their skin, thymus gland problems, immune deficiencies, or reproductive or nervous system difficulties, and may have an increased risk of getting cancer.
Pentachlorophenol	Some people who use water containing pentachlorophenol in excess of the MCL over many years may experience liver or kidney problems, and may have an increased risk of getting cancer.
Picloram	Some people who drink water containing picloram in excess of the MCL over many years may experience liver problems.
Simazine	Some people who use water containing simazine in excess of the MCL over many years may experience blood problems.
Thiobencarb	Some people who use water containing thiobencarb in excess of the MCL over many years may experience body weight and blood effects.
Toxaphene	Some people who use water containing toxaphene in excess of the MCL over many years may experience kidney, liver, or thyroid problems, and may have an increased risk of getting cancer.

Appendix 64465–G. Health Effects Language Disinfection Byproducts, Byproduct Precursors, and Disinfectant Residuals

Contaminant	*Health Effects language*
TTHMs [Total Trihalomethanes]:	Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience liver, kidney, or central nervous system problems, and may have an increased risk of getting cancer.
Haloacetic Acids	Some people who drink water containing halocetic acids in excess of the MCL over many years may have an increased risk of getting cancer.
Bromate	Some people who drink water containing bromate in excess of the MCL over many years may have an increased risk of getting cancer.
Chloramines	Some people who use water containing chloramines well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chloramines well in excess of the MRDL could experience stomach discomfort or anemia.
Chlorine	Some people who use water containing chlorine well in excess of the MRDL could experience irritating effects to their eyes and nose. Some people who drink water containing chlorine well in excess of the MRDL could experience stomach discomfort.
Chlorite	Some infants and young children who drink water containing chlorite in excess of the MCL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorite in excess of the MCL. Some people may experience anemia.
Chlorine dioxide (2 consecutive daily samples at the entry point to the distribution system that are greater than the MRDL)	Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia. *Add for public notification only:* The chlorine dioxide violations reported today are the result of exceedances at the treatment facility only, not within the distribution system that delivers water to consumers. Continued compliance with chlorine dioxide levels within the distribution system minimizes the potential risk of these violations to consumers.
Chlorine dioxide (one or more distribution system samples are above the *MRDL.*)	Some infants and young children who drink water containing chlorine dioxide in excess of the MRDL could experience nervous system effects. Similar effects may occur in fetuses of pregnant women who drink water containing chlorine dioxide in excess of the MRDL. Some people may experience anemia. *Add for public notification only:* The chlorine dioxide violations reported today include exceedances of the State standard within the distribution system that delivers water to consumers. These violations may harm human health based on short-term exposures. Certain groups, including fetuses, infants, and young children, may be especially susceptible to nervous system effects from excessive chlorine dioxide exposure.
Control of DBP precursors (TOC)	Total organic carbon (TOC) has no health effects. However, total organic carbon provides a medium for the formation of disinfection byproducts. These byproducts include trihalomethanes (THMs) and haloacetic acids (HAAs). Drinking water containing these byproducts in excess of the MCL may lead to adverse health effects, liver or kidney problems, or nervous system effects, and may lead to an increased risk of getting cancer.

Appendix 64465–H. Health Effects Language Other Treatment Techniques

Contaminant	*Health Effects language*
Acrylamide	Some people who drink water containing high levels of acrylamide over a long period of time may experience nervous system or blood problems, and may have an increased risk of getting cancer.
Epichlorohydrin	Some people who drink water containing high levels of epichlorohydrin over a long period of time may experience stomach problems, and may have an increased risk of getting cancer.

NOTE: Authority cited: Sections 116325, 116350, 116375 and 131200, Health and Safety Code. Reference: Sections 116450 and 131051, Health and Safety Code.

HISTORY

1. New section filed 5–27–92; operative 6–26–92 (Register 92, No. 22).
2. Amendment filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Amendment refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Amendment refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order including amendment of section transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).
6. Amendment of section and NOTE filed 5–18–2006; operative 6–17–2006 (Register 2006, No. 20).
7. Repealer and new section filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).
8. Amendment of Appendix 64465–D and amendment of NOTE filed 9–18–2007; operative 10–18–2007 (Register 2007, No. 38).

§ 22–64466. Special Notice for Unregulated Contaminant Monitoring Results.

Water systems required to monitor pursuant to section 64450 (Unregulated Chemicals — Monitoring) and/or Federal Register 64(180), p 50556–50620, September 17, 1999, shall notify persons served by the water system of the availability of the results, as follows:

(a) No later than 12 months after the results are known;

(b) Pursuant to sections 64463.7(c) and (d)(1) and (3); and

(c) Include a contact and telephone number where information on the results may be obtained.

NOTE: Authority cited: Sections 116325, 116350 and 116375, Health and Safety Code. Reference: Section 116450, Health and Safety Code.

HISTORY

1. New section filed 5–27–92; operative 6–26–92 (Register 92, No. 22).
2. Repealer and new section filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64467. Notice.

NOTE: Authority cited: Sections 208, 4027 and 4028, Health and Safety Code. Reference: Sections 4010–4039.6, Health and Safety Code.

HISTORY

1. New section filed 5–27–92; operative 6–26–92 (Register 92, No. 22).

2. Repealer filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64467.5. Wholesaler.

NOTE: Authority cited: Sections 208, 4023.3, 4027 and 4028, Health and Safety Code. Reference: Sections 4010–4039.6, Health and Safety Code.

HISTORY

1. New section filed 5–27–92; operative 6–26–92 (Register 92, No. 22).
2. Repealer filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64468. Health Effects Language.

NOTE: Authority cited: Sections 208 and 4028, Health and Safety Code. Reference: Sections 4010–4039.5, Health and Safety Code.

HISTORY

1. New section filed 5–27–92; operative 6–26–92 (Register 92, No. 22).
2. Repealer filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
3. Repealer refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
4. Repealer refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64469. Reporting Requirements.

(a) Analytical results of all sample analyses completed in a calendar month shall be reported to the Department no later than the tenth day of the following month.

(b) Analytical results of all sample analyses completed by water wholesalers in a calendar month shall be reported to retail customers and the Department no later than the tenth day of the following month.

(c) Analytical results shall be reported to the Department electronically using the Electronic Deliverable Format as defined in The Electronic Deliverable Format [EDF] Version 1.2i Guidelines & Restrictions dated April 2001 and Data Dictionary dated April 2001.

(d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under 64463.7(d), each water system shall submit a certification to the Department that it has done so, along with a representative copy of each type of public notice given.

NOTE: Authority cited: Sections 100275 and 116375, Health and Safety Code. Reference: Section 116385, Health and Safety Code.

HISTORY

1. Renumbering and amendment of former article 18 to article 19, repealer of section 64469 and renumbering and amendment of former section 64451 to section 64469 filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64470. Recordkeeping.

(a) Each water supplier shall maintain records on all water quality and system water outage complaints, both verbal and written, received and corrective action taken. These records shall be retained for a period of five years for Department review.

(b) Each water supplier shall retain, on or at a convenient location near the water utility premises, records as indicated below:

(1) Records of bacteriological analyses for at least the 5 most recent years and chemical analyses for at least the most recent 10 years. Actual laboratory reports may be kept, or data may be transferred to tabular summaries, provided that the following information is included:

(A) The date, place and time of sampling and identification of the person who collected the sample.

(B) Identification of the sample as a routine sample, check sample, raw or finished water or other special sample.

(C) Date of Report.

(D) Name of the laboratory and either the person responsible for performing the analysis or the laboratory director.

(E) The analytical technique or method used.

(F) The results of the analysis.

(2) Records and resultant corrective actions shall be kept not less than three years following the final action taken to correct a particular violation.

(3) Copies of any written reports, summaries or communications relating to sanitary surveys of the system conducted by the water supplier, a private consultant or any local, state or federal agency, for not less than 10 years following completion of the sanitary survey involved.

(4) Variances or exemptions granted to the system, for not less than five years following the expiration of such variance or exemption.

(5) Copies of any Tier 1, Tier 2 and Tier 3 public notices, for not less than three years.

NOTE: Authority cited: Sections 100275, Health and Safety Code. Reference: Section 116385, Health and Safety Code.

HISTORY

1. New section filed 7–1–92; operative 7–31–92 (Register 92, No. 28).
2. Repealer of section 64470 and renumbering of former section 64452 to section 64470 with amendment of section and NOTE filed 8–2–2006; operative 9–1–2006 (Register 2006, No. 31).

§ 22–64471. Applicability.

HISTORY

1. Relocation of article 8 to article 16 and repealer of section filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
2. Relocation of article 8 to article 16 and repealer of section refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
3. Relocation of article 8 to article 16 and repealer of section refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64473. Maximum Contaminant Levels.

NOTE: Authority cited: Sections 208 and 4026, Health and Safety Code. Reference: Sections 4017 and 4024, Health and Safety Code.

HISTORY

1. Amendment of subsection (a) (Table 6) filed as an editorial correction 1–18–78; effective thirtieth day thereafter (Register 78, No. 3).
2. Amendment of subsection (a) (Table 6) filed 3–6–89; operative 4–5–89 (Register 89, No. 11).
3. Renumbering of former section 64473 to section 64449 filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
4. Renumbering of former section 64473 to section 64449 refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
5. Renumbering of former section 64473 to section 64449 refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.
6. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64475. Distribution System Physical Water Quality.

NOTE: Authority cited: Sections 208 and 4026, Health and Safety Code. Reference: Section 4024, Health and Safety Code.

HISTORY

1. Amendment of subsection (b) filed as an editorial correction 1–18–78; effective thirtieth day thereafter (Register 78, No. 3).
2. New NOTE filed 12–7–84 (Register 84, No. 49).
3. Renumbering of former section 64475 to section 64449.5 filed 9–8–94 as an emergency; operative 9–8–94 (Register 94, No. 36). A Certificate of Compliance must be transmitted to OAL by 1–6–95 or emergency language will be repealed by operation of law on the following day.
4. Renumbering of former section 64475 to section 64449.5 refiled 1–3–95 as an emergency; operative 1–3–95 (Register 95, No. 1). A Certificate of Compliance must be transmitted to OAL by 5–3–95 or emergency language will be repealed by operation of law on the following day.
5. Renumbering of former section 64475 to section 64449.5 refiled 4–26–95 as an emergency; operative 4–26–95 (Register 95, No. 17). A Certificate of Compliance must be transmitted to OAL by 8–24–95 or emergency language will be repealed by operation of law on the following day.

6. Certificate of Compliance as to 4–26–95 order transmitted to OAL 5–5–95 and filed 6–19–95 (Register 95, No. 25).

§ 22–64481. Content of the Consumer Confidence Report.

(a) Each Consumer Confidence Report shall contain information on the source of the water delivered, including:

(1) The type of water delivered by the water system, e.g., surface water, ground water; and the commonly used name (if any) and location of the body (or bodies) of water.

(2) If a source water assessment has been completed, notification that the assessment is available, how to obtain it, the date it was completed or last updated, and a brief summary of the system's vulnerability to potential sources of contamination, using language provided by the Department if the Department conducted the assessment.

(b) For any of the following terms used in the Consumer Confidence Report, the water system shall provide the specified language below:

(1) Regulatory Action Level: "The concentration of a contaminant which, if exceeded, triggers treatment or other requirements that a water system must follow."

(2) Maximum Contaminant Level or MCL: "The highest level of a contaminant that is allowed in drinking water. Primary MCLs are set as close to the PHGs (or MCLGs) as is economically and technologically feasible. Secondary MCLs are set to protect the odor, taste, and appearance of drinking water."

(3) Maximum Contaminant Level Goal or MCLG: "The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs are set by the U.S. Environmental Protection Agency."

(4) Public Health Goal or PHG: "The level of a contaminant in drinking water below which there is no known or expected risk to health. PHGs are set by the California Environmental Protection Agency."

(5) Primary Drinking Water Standard or PDWS: "MCLs for contaminants that affect health along with their monitoring and reporting requirements, and water treatment requirements."

(6) Treatment technique: "A required process intended to reduce the level of a contaminant in drinking water."

(7) Variances and exemptions: "Department permission to exceed an MCL or not comply with a treatment technique under certain conditions."

(c) If any of the following are detected, information for each pursuant to subsection (d) shall be included in the Consumer Confidence Report:

(1) Contaminants subject to an MCL, regulatory action level, or treatment technique (regulated contaminants), as specified in sections 64426.1, 64431, 64439, 64441, 64443, 64444, 64448, 64449, 64653 and 64672.3;

(2) Contaminants specified in section 64450 for which monitoring is required (unregulated contaminants) or in 40 CFR Parts 9, 141 and 142 (Federal Register 64(180), p. 50556–50620, September 17, 1999); and

(3) Disinfection by–products or microbial contaminants detected in the finished water for which monitoring is required by 40 CFR §§141.142 and 141.143 (Information Collection Rule, Federal Register 61, p 24354, May 14, 1996;), except as provided under subsection (e).

(4) Sodium and hardness.

(d) For contaminants identified in subsection (c), the water system shall include in the Consumer Confidence Report one table or several adjacent tables that have been developed pursuant to this subsection. Any additional monitoring results that a water system chooses to include in its Consumer Confidence Report shall be displayed separately.

(1) The data in the table(s) shall be derived from data collected to comply with U.S. Environmental Protection Agency (USEPA) and Department monitoring and analytical requirements during calendar year 2000 for the first Consumer Confidence Report and subsequent calendar years thereafter except that:

(A) Where a system is allowed to monitor for regulated contaminants less often than once a year, the table(s) shall include the date and results of the most recent sampling and the Consumer Confidence Report shall include a brief statement indicating that the data presented in the table(s) are from the most recent testing done in accordance with the regulations. No data older than 9 years need be included.

(B) Results of monitoring in compliance with 40 CFR §§141.142 and 141.143 (Information Collection Rule, Federal Register 61, p 24354, May 14, 1996), need only be included in the table(s) for 5 years from the date of the last sampling or until any of the detected contaminants becomes regulated and subject to routine monitoring requirements, whichever comes first. Both the average and range sample results for the most recent year of sampling shall be included for any detected contaminant.

(2) For detected regulated contaminants (listed in subsection (c)(1)), the table(s) shall include:

(A) The MCL expressed as a number equal to or greater than 1.0;

(B) For a primary MCL, the public health goal (PHG) in the same units as the MCL; or if no PHG has been set for the contaminant, the table shall include the USEPA maximum contaminant level goal in the same units as the MCL.

(C) For a detected contaminant that does not have an MCL, the table(s) shall indicate whether there is a treatment technique or specify the regulatory action level applicable to that contaminant, and the Consumer Confidence Report shall include the appropriate language specified in subsection (b);

(D) For detected contaminants subject to an MCL, except turbidity and total coliforms, the sample result(s) collected at compliance monitoring sampling points shall be reported in the same units as the MCL as follows:

1. When compliance is determined by the results of a single sample, an initial sample averaged with one or two confirmation sample(s), or an average of four quarterly or six monthly samples, results shall be reported as follows:

A. For a single sampling point, or multiple sampling points for which data is being individually listed on the Consumer Confidence Report: The sample result; if more than one sample was collected, the average and range of the sample results.

B. For more than one sampling point, each of which has been sampled only once and for which data is being summarized together on the Consumer Confidence Report: The average and range of the sample results. If the waters from the sampling points are entering the distribution system at the same point, a flow–weighted average may be reported.

C. For multiple sampling points, one or more of which has been sampled more than once and for which data is being summarized together on the Consumer Confidence Report: The average of the individual sampling point averages and range of all the sample results. If the waters from the sampling points are entering the distribution system at the same point, a flow–weighted average may be reported.

2. When compliance with the MCL is determined by calculating a running annual average of all samples taken at a sampling point: The highest running annual average of the sampling point and the range of sample results or, if sampling points are summarized together for the Consumer Confidence Report, the highest running annual average of any of the sampling points and the range of sample results from all the sampling points.

3. When compliance with the MCL is determined on a system–wide basis by calculating a running annual average of all sampling point averages: The highest running annual average and the range of sample results from all the sampling points.

4. When compliance with the MCL is determined on the basis of monitoring after treatment installed to remove a contaminant: The average level detected in the water entering the distribution system and the range of sample results.

5. If an MCL compliance determination was made in the year for which sample results are being reported and that determination was based on an average of results from both the previous and reporting years, then the compliance determination average shall be reported, but the range shall be based only on results from the year for which data is being reported.

(E) For turbidity:

1. When it is reported pursuant to the requirements of section 64652.5 (filtration avoidance): The highest value.

2. When it is reported pursuant to section 64653 (filtration): The highest single measurement based on compliance reporting and the lowest monthly percentage of samples meeting the turbidity limits specified in section 64653 for the filtration technology being used.

(F) For lead and copper: The 90th percentile value of the most recent round of sampling, the number of sites sampled, and the number of sampling sites exceeding the action level.

(G) For total coliform:

1. The highest monthly number of positive samples for systems collecting fewer than 40 samples per month; or

2. The highest monthly percentage of positive samples for systems collecting at least 40 samples per month.

(H) For fecal coliform or *E. coli*: the total number of positive samples during the year.

(I) The likely source(s) of detected contaminants for any detected contaminant with an MCL. If the water system lacks specific information on the likely source, the table(s) shall include one or more of the typical sources for that contaminant listed in appendices 64481–A or 64481–B that are most applicable to the system.

(3) The table(s) shall clearly identify any data indicating violations of MCLs or treatment techniques and the Consumer Confidence Report shall give information on each violation including the length of the violation, potential adverse health effects (primary MCLs only), and actions taken by the system to address the violation. To describe the potential health effects, the system shall use the relevant language pursuant to appendices 64465–A through H.

(4) For detected unregulated contaminants for which monitoring is required (except *Cryptosporidium*), the table(s) shall contain the average and range at which the contaminant was detected.

(e) If the system has performed any monitoring for *Cryptosporidium*, including monitoring performed to satisfy the requirements of 40 CFR § 141.143 (Information Collection Rule, Federal Register 61, p 24354, May 14, 1996), that indicates that Cryptosporidium may be present in the source water or the finished water, the Consumer Confidence Report shall include a summary of the monitoring results and an explanation of their significance.

(f) If the system has performed any monitoring for radon that indicates that radon is present in the finished water, the Consumer Confidence Report shall include the monitoring results and an explanation of their significance.

(g) For the year covered by the report, the Consumer Confidence Report shall note any violations of (1) through (7) and give related information, including any potential adverse health effects, and the steps the system has taken to correct the violation.

(1) Monitoring and reporting of compliance data.

(2) Filtration and disinfection prescribed by sections 64652, 64652.5, 64653, or 64654. For systems that have failed to install adequate filtration or disinfection equipment or processes, or have had a failure of such equipment or processes that constitutes a violation, the Consumer Confidence Report shall include the following language as part of the explanation of potential adverse health effects: "Inadequately treated water may contain organisms that can cause illness when consumed. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea, and associated headaches."

(3) One or more actions prescribed by the lead and copper requirements in sections 64673 through 64679. To address potential adverse health effects, the Consumer Confidence Report shall include the applicable language pursuant to appendix 64465–D for lead, copper, or both.

(4) Treatment technique requirements for Acrylamide and Epichlorohydrin in section 64448; to address potential adverse health effects, the Consumer Confidence Report shall include the relevant language from appendix 64465–H.

(5) Recordkeeping of compliance data.

(6) Special monitoring requirements prescribed by sections 64450, and 64449(c)(2) and (i).

(7) Terms of a variance, an exemption, or an administrative or judicial order.

(h) If a system is operating under the terms of a variance or an exemption issued under section 116430 or 116425 of the Health and Safety Code, the Consumer Confidence Report shall contain:

(1) An explanation of the reasons for the variance or exemption;

(2) The date on which the variance or exemption was issued;

(3) A brief status report on the steps the system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and

(4) A notice of any opportunity for public input in the review, or renewal, of the variance or exemption.

(i) The Consumer Confidence Report shall contain the language in paragraphs (1) through (4).

(1) "The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally–occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity."

(2) "Contaminants that may be present in source water include:

(A) Microbial contaminants, such as viruses and bacteria, that may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.

(B) Inorganic contaminants, such as salts and metals, that can be naturally–occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.

(C) Pesticides and herbicides, that may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.

(D) Organic chemical contaminants, including synthetic and volatile organic chemicals, that are by–products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, agricultural application, and septic systems.

(E) Radioactive contaminants, that can be naturally–occurring or be the result of oil and gas production and mining activities."

(3) "In order to ensure that tap water is safe to drink, the U.S. Environmental Protection Agency (USEPA) and the State Department of Health Services (Department) prescribe regulations that limit the amount of certain contaminants in water provided by public water systems. Department regulations also establish limits for contaminants in bottled water that provide the same protection for public health."

(4) "Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the USEPA's Safe Drinking Water Hotline (1–800–426–4791)."

(j) All Consumer Confidence Reports shall prominently display the following language: "Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno–compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. USEPA/Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline (1–800–426–4791)."

(k) The Consumer Confidence Report shall include the telephone number of the owner, operator, or designee of the water system as a source of additional information concerning the report.

(l) All Consumer Confidence Reports shall contain information in Spanish regarding the importance of the report or contain a telephone number or address where Spanish–speaking residents may contact the system to obtain a translated copy of the report or assistance in Spanish.

For each non-English speaking group other than Spanish-speaking that exceeds 1,000 residents or 10% of the residents in a community, whichever is less, the Consumer Confidence Report shall contain information in the appropriate language(s) regarding the importance of the report or contain a telephone number or address where such residents may contact the system to obtain a translated copy of the report or assistance in the appropriate language.

(m) The Consumer Confidence Report shall include information (e.g., time and place of regularly scheduled board meetings) about opportunities for public participation in decisions that may affect the quality of the water.

Appendix 64481-A. Typical Origins of Contaminants with Primary MCLs

Contaminant	*Major origins in drinking water*
Microbiological	
Total coliform bacteria	Naturally present in the environment
Fecal coliform and *E. coli*	Human and animal fecal waste
Turbidity	Soil runoff
Radioactive	
Gross Beta particle activity	Decay of natural and man-made deposits
Strontium-90	Decay of natural and man-made deposits
Tritium	Decay of natural and man-made deposits
Gross Alpha particle activity	Erosion of natural deposits
Combined radium 226/228	Erosion of natural deposits
Uranium	Erosion of natural deposits
Inorganic	
Aluminum	Erosion of natural deposits; residue from some surface water treatment processes
Antimony	Discharge from petroleum refineries; fire retardants; ceramics; electronics; solder
Arsenic	Erosion of natural deposits; runoff from orchards; glass and electronics production wastes
Asbestos	Internal corrosion of asbestos cement water mains; erosion of natural deposits
Barium	Discharges of oil drilling wastes and from metal refineries; erosion of natural deposits
Beryllium	Discharge from metal refineries, coal-burning factories, and electrical, aerospace, and defense industries
Cadmium	Internal corrosion of galvanized pipes; erosion of natural deposits; discharge from electroplating and industrial chemical factories, and metal refineries; runoff from waste batteries and paints
Chromium	Discharge from steel and pulp mills and chrome plating; erosion of natural deposits
Copper	Internal corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives
Cyanide	Discharge from steel/metal, plastic and fertilizer factories
Fluoride	Erosion of natural deposits; water additive that promotes strong teeth; discharge from fertilizer and aluminum factories
Lead	Internal corrosion of household water plumbing systems; discharges from industrial manufacturers; erosion of natural deposits
Mercury	Erosion of natural deposits; discharge from refineries and factories; runoff from landfills and cropland
Nickel	Erosion of natural deposits; discharge from metal factories
Nitrate	Runoff and leaching from fertilizer use; leaching from septic tanks and sewage; erosion of natural deposits
Nitrite	Runoff and leaching from fertilizer use; leaching from septic tanks and sewage; erosion of natural deposits
Perchlorate	Perchlorate is an inorganic chemical used in solid rocket propellant, fireworks, explosives, flares, matches, and a variety of industries. It usually gets into drinking water as a result of environmental contamination from historic aerospace or other industrial operations that used or use, store, or dispose of perchlorate and its salts.
Selenium	Discharge from petroleum, glass, and metal refineries; erosion of natural deposits; discharge from mines and chemical manufacturers; runoff from livestock lots (feed additive)
Thallium	Leaching from ore-processing sites; discharge from electronics, glass, and drug factories
Synthetic organic	
2,4-D	Runoff from herbicide used on row crops, range land, lawns, and aquatic weeds
2,4,5-TP (Silvex)	Residue of banned herbicide
Acrylamide	Added to water during sewage/wastewater treatment
Alachlor	Runoff from herbicide used on row crops
Atrazine	Runoff from herbicide used on row crops and along railroad and highway right-of-ways
Bentazon	Runoff/leaching from herbicide used on beans, peppers, corn, peanuts, rice, and ornamental grasses
Benzo(a)pyrene [PAH]	Leaching from linings of water storage tanks and distribution mains
Carbofuran	Leaching of soil fumigant used on rice and alfalfa, and grape vineyards
Chlordane	Residue of banned insecticide
Dalapon	Runoff from herbicide used on right-of-ways, and crops and landscape maintenance
Dibromochloropropane (DBCP)	Banned nematocide that may still be present in soils due to runoff/leaching from former use on soybeans, cotton, vineyards, tomatoes, and tree fruit
Di(2-ethylhexyl) adipate	Discharge from chemical factories
Di(2-ethylhexyl) phthalate	Discharge from rubber and chemical factories; inert ingredient in pesticides
Dinoseb	Runoff from herbicide used on soybeans, vegetables, and fruits
Dioxin [2,3,7,8-TCDD]	Emissions from waste incineration and other combustion; discharge from chemical factories
Diquat	Runoff from herbicide use for terrestrial and aquatic weeds
Endothall	Runoff from herbicide use for terrestrial and aquatic weeds; defoliant
Endrin	Residue of banned insecticide and rodenticide
Epichlorohydrin	Discharge from industrial chemical factories; impurity of some water treatment chemicals
Ethylene dibromide (EDB)	Discharge from petroleum refineries; underground gas tank leaks; banned nematocide that may still be present in soils due to runoff and leaching from grain and fruit crops
Glyphosate	Runoff from herbicide use
Heptachlor	Residue of banned insecticide
Heptachlor epoxide	Breakdown of heptachlor
Hexachlorobenzene	Discharge from metal refineries and agricultural chemical factories; byproduct of chlorination reactions in wastewater
Hexachlorocyclo-pentadiene	Discharge from chemical factories
Lindane	Runoff/leaching from insecticide used on cattle, lumber, gardens
Methoxychlor	Runoff/leaching from insecticide used on fruits, vegetables, alfalfa, livestock
Molinate [Ordram]	Runoff/leaching from herbicide used on rice
Oxamyl [Vydate]	Runoff/leaching from insecticide used on field crops, fruits and ornamentals, especially apples, potatoes, and tomatoes
Pentachlorophenol	Discharge from wood preserving factories, cotton and other insecticidal/herbicidal uses
Picloram	Herbicide runoff
Polychlorinated biphenyls [PCBs]	Runoff from landfills; discharge of waste chemicals
Simazine	Herbicide runoff
Thiobencarb	Runoff/leaching from herbicide used on rice
Toxaphene	Runoff/leaching from insecticide used on cotton and cattle
Volatile organic	
Benzene	Discharge from plastics, dyes and nylon factories; leaching from gas storage tanks and landfills
Carbon tetrachloride	Discharge from chemical plants and other industrial activities
1,2-Dichlorobenzene	Discharge from industrial chemical factories
1,4-Dichlorobenzene	Discharge from industrial chemical factories
1,1-Dichloroethane	Extraction and degreasing solvent; used in manufacture of pharmaceuticals, stone, clay and glass products; fumigant
1,2-Dichloroethane	Discharge from industrial chemical factories
1,1-Dichloroethylene	Discharge from industrial chemical factories
cis-1,2-Dichloroethylene	Discharge from industrial chemical factories; major biodegradation byproduct of TCE and PCE groundwater contamination

trans-1,2-Dichloroethylene	Discharge from industrial chemical factories; minor biodegradation byproduct of TCE and PCE groundwater contamination
Dichloromethane	Discharge from pharmaceutical and chemical factories; insecticide
1,2-Dichloropropane	Discharge from industrial chemical factories; primary component of some fumigants
1,3-Dichloropropene	Runoff/leaching from nematocide used on croplands
Ethylbenzene	Discharge from petroleum refineries; industrial chemical factories
Methyl-tert-butyl ether (MTBE)	Leaking underground storage tanks; discharge from petroleum and chemical factories.
Monochlorobenzene	Discharge from industrial and agricultural chemical factories and drycleaning facilities
Styrene	Discharge from rubber and plastic factories; leaching from landfills
1,1,2,2-Tetrachloroethane	Discharge from industrial and agricultural chemical factories; solvent used in production of TCE, pesticides, varnish and lacquers
Tetrachloroethylene (PCE)	Discharge from factories, dry cleaners, and auto shops (metal degreaser)
1,2,4-Trichlorobenzene	Discharge from textile-finishing factories
1,1,1-Trichloroethane	Discharge from metal degreasing sites and other factories; manufacture of food wrappings
1,1,2-Trichloroethane	Discharge from industrial chemical factories
Trichloroethylene (TCE)	Discharge from metal degreasing sites and other factories
TTHMs [total trihalomethanes]	By-product of drinking water chlorination
Toluene	Discharge from petroleum and chemical factories; underground gas tank leaks
Trichlorofluoromethane	Discharge from industrial factories; degreasing solvent; propellant and refrigerant
1,1,2-Trichloro-1,2,2-Trifluoroethane	Discharge from metal degreasing sites and other factories; drycleaning solvent; refrigerant
Vinyl chloride	Leaching from PVC piping; discharge from plastics factories; biodegradation byproduct of TCE and PCE groundwater contamination
Xylenes	Discharge from petroleum and chemical factories; fuel solvent

Appendix 64481-B. Typical Origins of Contaminants with Secondary MCLs

Contaminant	*Major origins in drinking water*
Aluminum	Erosion of natural deposits; residual from some surface water treatment processes
Color	Naturally-occurring organic materials
Corrosivity	Natural or industrially-influenced balance of hydrogen, carbon and oxygen in the water; affected by temperature and other factors.
Foaming Agents (MBAS)	Municipal and industrial waste discharges
Iron	Leaching from natural deposits; industrial wastes
Manganese	Leaching from natural deposits
Methyl-tert-butyl ether (MTBE)	Leaking underground storage tanks; discharge from petroleum and chemical factories;
Odor—Threshold	Naturally-occurring organic materials
Silver	Industrial discharges
Thiobencarb	Runoff/leaching from rice herbicide
Turbidity	Soil runoff
Zinc	Runoff/leaching from natural deposits; industrial wastes
Total dissolved solids	Runoff/leaching from natural deposits
Specific conductance	Substances that form ions when in water; seawater influence
Chloride	Runoff/leaching from natural deposits; seawater influence
Sulfate	Runoff/leaching from natural deposits; industrial wastes

NOTE: Authority cited: Sections 116350, 116375 and 131200, Health and Safety Code. Reference: Sections 116275, 116470 and 131051, Health and Safety Code.

HISTORY

1. New section and appendices A-G filed 4-26-2001; operative 5-26-2001 (Register 2001, No. 17). For prior history, see Register 94, No. 48.
2. Amendment of subsections (c)(2)-(3), (d)(1)(B), (d)(3), (e), (g)(3)-(4) and appendix A and repealer of appendices C-G filed 8-2-2006; operative 9-1-2006 (Register 2006, No. 31).
3. Amendment of Appendix 64481-A and amendment of NOTE filed 9-18-2007; operative 10-18-2007 (Register 2007, No. 38).

§ 22-64483. Consumer Confidence Report Delivery and Recordkeeping.

(a) Each water system shall mail or directly deliver one copy of the Consumer Confidence Report to each customer.

(b) The system shall make a good faith effort to reach consumers who are served by the water system but are not bill-paying customers, such as renters or workers, using a mix of methods appropriate to the particular system such as: Posting the Consumer Confidence Reports on the Internet; mailing to postal patrons in metropolitan areas; advertising the availability of the Consumer Confidence Report in the news media; publication in a local newspaper; posting in public places such as cafeterias or lunch rooms of public buildings; delivery of multiple copies for distribution by single-biller customers such as apartment buildings or large private employers; and delivery to community organizations.

(c) No later than the date the water system is required to distribute the Consumer Confidence Report to its customers, each water system shall mail a copy of the report to the Department, followed within 3 months by a certification that the report has been distributed to customers, and that the information is correct and consistent with the compliance monitoring data previously submitted to the Department.

(d) No later than the date the water system is required to distribute the Consumer Confidence Report to its customers, each privately-owned water system shall mail a copy of the report to the California Public Utilities Commission.

(e) Each water system shall make its Consumer Confidence Report available to the public upon request.

(f) Each water system serving 100,000 or more persons shall post its current year's Consumer Confidence Report on a publicly-accessible site on the Internet.

(g) Each water system shall retain copies of its Consumer Confidence Reports for no less than 3 years.

NOTE: Authority cited: Sections 116350 and 116375, Health and Safety Code. Reference: Sections 116275 and 116470, Health and Safety Code.

HISTORY

1. New section filed 4-26-2001; operative 5-26-2001 (Register 2001, No. 17). For prior history, see Register 94, No. 48.
2. Amendment of subsection (g) filed 8-2-2006; operative 9-1-2006 (Register 2006, No. 31).

§ 22-64485. Conditions of Certification.

NOTE: Authority cited: Sections 208 and 4025, Health and Safety Code. Reference: Section 4025, Health and Safety Code.

HISTORY

1. Repealer filed 12-2-94; operative 12-2-94 pursuant to Government Code section 11346.2(d) (Register 94, No. 48).

§ 22-64487. Certificates.

NOTE: Authority cited: Sections 208 and 4025, Health and Safety Code. Reference: Section 4025, Health and Safety Code.

HISTORY

1. Repealer filed 12-2-94; operative 12-2-94 pursuant to Government Code section 11346.2(d) (Register 94, No. 48).

§ 22-64489. Renewal of Certification.

NOTE: Authority cited: Sections 208 and 4025, Health and Safety Code. Reference: Section 4025, Health and Safety Code.

HISTORY

1. Repealer filed 12-2-94; operative 12-2-94 pursuant to Government Code section 11346.2(d) (Register 94, No. 48).

§ 22-64491. Revocation or Involuntary Suspension of Certificate.

NOTE: Authority cited: Sections 208 and 4025, Health and Safety Code. Reference: Section 4025, Health and Safety Code.

HISTORY

1. Repealer filed 12-2-94; operative 12-2-94 pursuant to Government Code section 11346.2(d) (Register 94, No. 48).

§ 22-64493. Appeal.

NOTE: Authority cited: Sections 208 and 4025, Health and Safety Code. Reference: Section 4025, Health and Safety Code.

HISTORY

1. Repealer filed 12-2-94; operative 12-2-94 pursuant to Government Code section 11346.2(d) (Register 94, No. 48).

§ 22–64495. Recertification upon Change of Status.

NOTE: Authority cited: Sections 208 and 4025, Health and Safety Code. Reference: Section 4025, Health and Safety Code.

HISTORY

1. Repealer filed 12–2–94; operative 12–2–94 pursuant to Government Code section 11346.2(d) (Register 94, No. 48).

§ 22–64497. Laboratory Status Report.

NOTE: Authority cited: Sections 208 and 4025, Health and Safety Code. Reference: Section 4025, Health and Safety Code.

HISTORY

1. Repealer filed 12–2–94; operative 12–2–94 pursuant to Government Code section 11346.2(d) (Register 94, No. 48).

§ 22–64499. Performance Evaluation Samples.

NOTE: Authority cited: Sections 208 and 4025, Health and Safety Code. Reference: Section 4025, Health and Safety Code.

HISTORY

1. Repealer filed 12–2–94; operative 12–2–94 pursuant to Government Code section 11346.2(d) (Register 94, No. 48).

§ 22–64501. Inspection of Water Testing Laboratories.

NOTE: Authority cited: Sections 208 and 4025, Health and Safety Code. Reference: Section 4025, Health and Safety Code.

HISTORY

1. Repealer filed 12–2–94; operative 12–2–94 pursuant to Government Code section 11346.2(d) (Register 94, No. 48).

§ 22–64555. Definitions.

(a) "Asphalt Institute Standard" means a standard or specification issued by the Asphalt Institute.

(b) "ASTM Standard" means a standard issued by the American Society for Testing and Materials (ASTM).

(c) "AWWA Standard" means a standard adopted by the American Water Works Association (AWWA).

(d) "Federal Specification" means a standard approved by the United States General Services Agency for use by federal agencies.

(e) "Flat Rate Water System" means a public water system where water deliveries to at least 50 percent of the service connections are not metered.

(f) "Metered Water System" means a public water system that is not a flat rate water system.

NOTE: Authority cited: Sections 208 and 4010.1 (h), Health and Safety Code. Reference: Sections 4010.1 (h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Amendment filed 10–9–85; effective thirtieth day thereafter (Register 85, No. 42).

§ 22–64560. New Well Siting, Construction, and Permit Application.

(a) To receive a new or amended domestic water supply permit for a proposed well, the water system shall provide the following information to the Department in the technical report as part of its permit application:

(1) A source water assessment as defined in Section 63000.84 for the proposed site;

(2) Documentation demonstrating that a well site control zone with a 50–foot radius around the site can be established for protecting the source from vandalism, tampering, or other threats at the site by water system ownership, easement, zoning, lease, or an alternative approach approved by the Department based on its potential effectiveness in providing protection of the source from contamination;

(3) Design plans and specifications for the well; and

(4) Documentation required for compliance with the California Environmental Quality Act (CEQA).

(b) After the Department has provided written or oral approval of the initial permit amendment application and the water system has constructed the well, the water system shall submit the following additional materials for its permit application:

(1) A copy of the well construction permit if required by the county or local agency;

(2) Department of Water Resources well completion report;

(3) A copy of any pump tests required by the Department;

(4) Results of all required water quality analyses; and

(5) As–built plans.

(c) Each new public water supply well shall:

(1) As a minimum, be constructed in accordance with the community water system well requirements in California Department of Water Resources Bulletins 74–81 and 74–90, which are hereby incorporated by reference;

(2) Be constructed in accordance with American Water Works Association (AWWA) Standard A100–06 (Water Wells), which is hereby incorporated by reference;

(3) Be installed such that:

(A) All equipment is accessible for operation, maintenance, and removal;

(B) Protection is provided against flooding;

(C) The wellhead terminates a minimum of 18 inches above the finished grade;

(D) Wellhead and electrical controls are not installed in vaults;

(E) The well is equipped with:

1. Fittings and electrical connections to enable chlorination facilities to be readily installed;

2. A non–threaded down–turned sampling tap located on the discharge line between the wellhead and the check valve. Sampling taps used for obtaining samples for bacteriological analysis shall not have a screen, aerator, or other such appurtenance;

(F) Provisions are made to allow the well to be pumped to waste with a waste discharge line that is protected against backflow.

NOTE: Authority cited: Sections 116350, 116375 and 131200, Health and Safety Code. Reference: Sections 116275, 116375, 116530, 116535 and 131051, Health and Safety Code.

HISTORY

1. Repealer of former article 2 (sections 64560–64570) and repealer of section and new article 3 (sections 64560–64561) and new section filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64562. Quantity of Supply. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Amendment filed 10–9–85; effective thirtieth day thereafter (Register 85, No. 42).
2. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64563. Procedures for Determining Source Capacity. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64564. Procedures for Determining Needed Source Capacity and Needed Storage Volume. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Amendment filed 10–9–85; effective thirtieth day thereafter (Register 85, No. 42).
2. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64566. System Pressure. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64568. Conditions for Adding Service Connections. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64570. Materials and Installation.

(a) All newly installed water mains shall comply with the materials and installation standards of the American Water Works Association pursuant to tables 64570–A and 64570–B. The standards are hereby incorporated by reference.

Table 64570–A
Materials Standards for Water Mains

Type of Material	*Diameter of Main*	*Applicable Standard*
PVC	4 in. through 12 in.	C900–97
PVC	14 in. through 48 in.	C905–97
Polyethylene (HDPE)	4 in. through 63 in.	C906–99
Fiberglass	All sizes	C950–01
Ductile Iron	All sizes	C150/A21.50–02
Ductile Iron, Centrifugally cast	All sizes	C151/A21.51–02
Steel	6 inches and larger	C200–97
Copper	All sizes	C800–05
Concrete		
Reinforced steel–cylinder	All sizes	C300–04
Prestressed steel–cylinder	All sizes	C301–99, C304–99
Reinforced noncylinder	All sizes	C302–04
Bar wrapped/steel cylinder	All sizes	C303–02
PVC, Molecularly oriented polyvinyl chloride	All sizes	C909–02

Table 64570–B
Installation Standards for Water Mains

Type of Installation	*Applicable Standard*
Steel Pipe–Design and Installation	M–11 (2004)
Ductile–Iron Water Mains and Their Appurtenances	C600–05
Underground Installation of PVC Pressure Pipe and Fittings	C605–05
Concrete Pressure Pipe	M9(1995)

(b) Water mains shall:

(1) Be installed below the frost line or be otherwise protected to prevent freezing; and

(2) Be protected against crushing under loads that could pass above the installation.

NOTE: Authority cited: Sections 116350, 116375 and 131200, Health and Safety Code. Reference: Sections 116275, 116375, 116535 and 131051, Health and Safety Code.

HISTORY

1. Amendment filed 10–9–85; effective thirtieth day thereafter (Register 85, No. 42).
2. New article 4 (sections 64570–64578) and repealer and new section filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64600. Water System Operations and Maintenance Plan.

(a) If directed by the Department to do so based on an identified deficiency in the system's operations, a water system shall develop and submit a Water System Operations and Maintenance Plan (Plan); the water system shall include those elements in the following list that are deemed by the Department to be relevant to the deficiency:

(1) The operations and maintenance schedule for each unit process for each treatment plant that treats an approved surface water;

(2) The operations and maintenance schedule for each groundwater source and unit process;

(3) The schedule and procedure for flushing dead end mains, and the procedures for disposal of the flushed water including dechlorination;

(4) The schedule for routine inspection of reservoirs, and the procedures for cleaning reservoirs;

(5) The schedule and procedures for inspecting, repairing, and replacing water mains;

(6) The plan and procedures for responding to water supply emergencies;

(7) The plan and procedures for responding to consumer complaints;

(8) The schedule and procedures for testing backflow prevention assemblies;

(9) The schedule and procedures for routine exercising of water main valves;

(10) The schedule and program for maintenance and calibration of source flow meters and other online instruments used to determine the quality or quantity of water;

(11) The qualifications and training of operating personnel;

(12) The program for control of biological organisms on the interior walls of water mains; and

(13) For an underground reservoir with a buried roof designed for a function in addition to covering the reservoir, a comprehensive routine inspection and monitoring plan to ensure that there is no contamination of the reservoir as a result of that additional function.

(b) Each water system that has prepared a Plan pursuant to subsection (a) shall operate in accordance with its Department–approved Plan.

(c) Each water system that has prepared a Plan pursuant to subsection (a) shall update the Plan at least once every five years and, in addition, following any change in the method of treatment or any other modification to the system requiring a change in the systems operations and maintenance.

NOTE: Authority cited: Sections 116350, 116375 and 131200, Health and Safety Code. Reference: Sections 116275, 116375, 116535 and 131051, Health and Safety Code.

HISTORY

1. Repealer of former article 3 (sections 64600–64604) and section and new article 8 (sections 64600–64604) and new section filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64602. Minimum Pressure.

(a) Each distribution system shall be operated in a manner to assure that the minimum operating pressure in the water main at the user service line connection throughout the distribution system is not less than 20 pounds per square inch at all times.

(b) Each new distribution system that expands the existing system service connections by more than 20 percent or that may otherwise adversely affect the distribution system pressure shall be designed to provide a minimum operating pressure throughout the new distribution system of not less than 40 pounds per square inch at all times excluding fire flow.

NOTE: Authority cited: Sections 116350, 116375 and 131200, Health and Safety Code. Reference: Sections 116275, 116375, 116535, 116555 and 131051, Health and Safety Code.

HISTORY

1. Repealer of subsection (c) filed 10–9–85; effective thirtieth day thereafter (Register 85, No. 42).
2. Repealer and new section filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64604. Preparation and Maintenance of Records.

(a) Each public water system subject to this chapter shall prepare:

(1) "As built" plans, maps, and drawings of all new water system facilities including updated information for all existing facilities in the same location or connected to the new facilities. The plans, maps, and drawings shall be clear and legible and shall include the location, size, construction material, and year of installation of each new water main or other facility.

(2) A schematic drawing or map showing the location of each water source, treatment facility, pumping plant, reservoir, water main and isolation valve.

(b) The plans, drawings, and maps prepared pursuant to subsection (a) shall be updated as changes occur, and maintained until replaced or superseded by updated plans or drawings. The most current plans, drawings, and maps shall be available for Department review.

(c) Results of laboratory analyses of samples taken pursuant to sections 64580, 64582, and 64583, records of flushing of mains; and records of reservoir inspections and cleaning shall be maintained for at least three years.

[The next page is 283.]

NOTE: Authority cited: Sections 116350, 116375 and 131200, Health and Safety Code. Reference: Sections 116275, 116375, 116450, 116535 and 131051, Health and Safety Code.

HISTORY

1. Repealer and new section filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64612. Water Sealed Pumps. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Amendment filed 10–9–85; effective thirtieth day thereafter (Register 85, No. 42).
2. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64622. Water Main Materials. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Amendment filed 10–9–85; effective thirtieth day thereafter (Register 85, No. 42).
2. Repeal and deletion of former article 5 heading and repealer of article 5 (sections 64622–64644) and section filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64624. Water Main Selection and Installation. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Amendment filed 10–9–85; effective thirtieth day thereafter (Register 85, No. 42).
2. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64626. Layout of Water Mains. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64628. Minimum Water Main Diameter and Length of Run. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Amendment of subsection (d)(2) filed 10–9–85; effective thirtieth day thereafter (Register 85, No. 42).
2. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64630. Water Main Installation. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Amendment filed 10–9–85; effective thirtieth day thereafter (Register 85, No. 42).
2. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64632. Water Main Valve Locations. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64634. Water Main Valve Construction Standards. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Amendment filed 10–9–85; effective thirtieth day thereafter (Register 85, No. 42).
2. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64636. Air and Vacuum Relief and Air Release Valves. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64638. Water Main Joints. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64640. Fire Hydrants. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64642. Flushing Valves and Blowoffs. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64644. Service Connection Pipe. [Repealed]

NOTE: Authority cited: Sections 208 and 4010.1(h), Health and Safety Code. Reference: Sections 4010.1(h), 4012, 4013 and 4019, Health and Safety Code.

HISTORY

1. Repealer filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64654. Disinfection.

(a) All approved surface water utilized by a supplier shall be provided with continuous disinfection treatment sufficient to insure that the total treatment process provides inactivation of *Giardia lamblia* cysts and viruses, in conjunction with the removals obtained through filtration, to meet the reduction requirements specified in section 64652(a).

(b) Disinfection treatment shall comply with the following performance standards:

(1) Water delivered to the distribution system shall not contain a disinfectant residual of less than 0.2 mg/l for more than four hours in any 24 hour period.

(2) The residual disinfectant concentrations of samples collected from the distribution system shall be detectable in at least 95 percent of the samples taken each month that the system serves water to the public, except as provided in subsection (c). At any sample point in the distribution system, the presence of heterotrophic plate count (HPC) at concentrations less than or equal to 500 colony forming units per milliliter shall be considered equivalent to a detectable disinfectant residual.

(c) Paragraph (b)(2) shall not apply to suppliers serving fewer than 500 persons provided:

(1) The system is in compliance with 17 CCR sections 7583 through 7605, and with 22 CCR sections 64602, 64570(b), 64572, and 64580;

(2) The supplier has no means for having a sample transported and analyzed for HPC by a certified laboratory under the appropriate time and temperature conditions; and

(3) The supplier is providing adequate disinfection in the distribution system.

(d) No exemptions from the requirement in paragraph (b)(1) are permitted.

NOTE: Authority cited: Sections 100275, 116350, 116375 and 131200, Health and Safety Code. Reference: Sections 116270, 116275, 116365, 116375, 116385, 116390, 116400, 116525, 116530, 116535, 116540, 116550, 116555, 116625, 116735, 116750 and 131051, Health and Safety Code.

HISTORY

1. New section filed 5–6–91; operative 6–5–91 (Register 91, No. 25).
2. Change without regulatory effect amending section filed 6–28–91, pursuant to section 100, title 1, California Code of Regulations; operative 6–28–91 (Register 91, No. 40).
3. Amendment of subsections (a) and (b)(2)–(c)(2), new subsection (d) and amendment of NOTE filed 6–8–98; operative 7–8–98 (Register 98, No. 24).
4. Amendment of subsections (a), (b)(2) and (c)(1)–(3) and amendment of NOTE filed 12–13–2007; operative 1–12–2008 (Register 2007, No. 50).
5. Amendment of subsection (c)(1) and NOTE filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).
6. Editorial correction removing duplicate article heading and amending HISTORY 5 (Register 2008, No. 7).

§ 22–64686. Requirements Subsequent to the Department's Designation.

(a) If the Department determines that source water treatment is required pursuant to subsection 64685(b), the system shall comply with the following within the specified timeframes that begin with the Department's determination regarding source water treatment:

(1) Install the treatment within 24 months and submit a letter to the Department certifying that installation has been completed;

(2) Collect an additional source water sample from each entry point to the distribution system during two consecutive periods within 36 months;

(3) Complete two consecutive periods of standard monitoring for lead and copper pursuant to section 64675 (General Requirements for Tap Sampling for Lead and Copper) within 36 months.

(b) Within 6 months after the system installs source water treatment, based on its review of the data collected pursuant to subsection (a) and the contaminant removal capability of the installed treatment when properly operated, the Department will specify maximum permissible lead and copper levels for water entering the distribution system. The water system shall comply with these maximum permissible levels.

(c) After the Department specifies maximum permissible levels or determines that source water treatment is not needed, the system shall conduct standard monitoring related to source water pursuant to table 64686–A, according to source water type. If approved by the Department based on a review of source water data, the system may reduce monitoring pursuant to table 64686–A.

Table 64686–A. Standard and Reduced Monitoring Related to Source Water

Type of monitoring	*Ground water*	*Surface water with or without groundwater*
Standard monitoring	1 sample at each entry point every 3 years, as a minimum	1 sample at each entry point every year, as a minimum
Reduced monitoring, after 3 consecutive rounds of standard monitoring in compliance with maximum permissible levels.	1 sample at each entry point every 9 years	1 sample at each entry point every 9 years

(d) If a system does not have an action level exceedance for lead and/or copper during three consecutive years for groundwater or one year for surface water with or without groundwater, the system is not required to conduct sampling related to source water for the specific chemical.

(e) If the results of sampling indicate an exceedance of the maximum permissible levels specified pursuant to subsection (b), one additional sample may be collected at the same sampling point as soon as possible within 14 days of the initial sample to confirm the result. If a confirmation sample is collected, then the average of the initial and confirmation sample results shall be used to determine compliance with the maximum permissible levels.

(f) A water system that begins using a new water source shall reinitiate standard monitoring pursuant to subsection (c) and conduct three rounds of monitoring with the new source online before reducing the monitoring frequency.

(g) Upon its own initiative or in response to a request by a system, the Department may modify its determination of the source water treatment, or maximum permissible lead and copper concentrations for treated source water. Any request shall be in writing, explain the reason for the requested modification, and include supporting documentation.

NOTE: Authority cited: Sections 100275, 116350, 116365, 116375 and 116385, Health and Safety Code. Reference: Sections 116325–116750, Health and Safety Code.

HISTORY

1. New section filed 1–16–90; operative 2–15–90 (Register 90, No. 4).
2. Renumbering and amendment of NOTE of former section 64686 to section 64469 filed 5–27–92; operative 6–26–92 (Register 92, No. 22).
3. New article 7 and section filed 12–11–95 as an emergency; operative 12–11–95 (Register 95, No. 50). A Certificate of Compliance must be transmitted to OAL by 4–9–96 or emergency language will be repealed by operation of law on the following day.
4. Refiling of 12–11–95 order, including amendment of NOTE, filed 4–9–96 as an emergency; operative 4–10–96 (Register 96, No. 15). A Certificate of Compliance must be transmitted to OAL by 8–8–96 or emergency language will be repealed by operation of law on the following day.
5. Certificate of Compliance as to 12–11–95 order, including amendment of subsections (b)(1) and (c), transmitted to OAL 8–7–96 and filed 9–16–96 (Register 96, No. 38).
6. Repealer of article 7 (sections 64686–64688) and repealer and new section filed 9–11–2003; operative 10–11–2003 (Register 2003, No. 37).

§ 22–64700. Direct Additives. [Renumbered]

NOTE: Authority cited: Section 4023.3, Health and Safety Code. Reference: Section 4021, Health and Safety Code.

HISTORY

1. New chapter 18, article 1 and section filed 4–22–93; operative 5–24–93 (Register 93, No. 17).
2. Repealer of former chapter 18, article 1 (sections 64700–64710) and renumbering of former section 64700 to new section 64590 filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

§ 22–64710. Exception. [Renumbered]

NOTE: Authority cited: Section 4023.3, Health and Safety Code. Reference: Section 4021, Health and Safety Code.

HISTORY

1. New section filed 4–22–93; operative 5–24–93 (Register 93, No. 17).
2. Renumbering of former section 64710 to new section 64593 filed 2–8–2008; operative 3–9–2008 (Register 2008, No. 6).

[The next page is 287.]

§ 22–65600. Onsite.

(a) "Onsite" means a medical waste treatment facility on the same or adjacent property as the generator of the medical waste being treated.

(b) "Adjacent," for purposes of subdivision (a), means real property within 400 yards from the property boundary of the existing onsite medical waste treatment facility.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Sections 25025.8, 25040.(d) and 25050.(d), Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including newly designated subsection (a), adoption of subsection (b) and amendment of NOTE transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65601. Offsite.

"Offsite" means any location which is not onsite.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Sections 25025.5 and 25070, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order transmitted to OAL 6–2–92 and filed 7–14–02 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65602. Transfer Station.

"Transfer station" means any offsite location where medical waste is loaded, unloaded, or stored during the normal course of transportation of the medical waste. "Transfer station" does not include common storage facilities, large quantity generators used for the purpose of consolidation, or onsite treatment facilities.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Sections 25020.8, 25027.5, 25062, 25070.2 and 25070.3, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of section transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65603. Applicant.

"Applicant" means an owner, operator, or other person who applies to the enforcement agency for a permit pursuant to this chapter.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Sections 25030, 25030.1, 25030.4 and 25072, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of section transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65604.

"Enforcement agency" means the Department of Health Services or the local agency administering the Medical Waste Management Act.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Section 25021.2, 25034.8 and 25040, Health and Safety Code.

HISTORY

1. New section filed 7–14–92; operative 7–14–92 (Register 92, No. 29).

§ 22–65610. Compliance with the California Environmental Quality Act (CEQA).

(a) All medical waste treatment facility or transfer station permit applications, and applications for permit revisions, modifications, and amendments shall be accompanied by the following:

(1) Information necessary to enable the enforcement agency to comply with the requirements of the California Environmental Quality Act (Public Resources Code Sections 21000–21174). This information shall be either:

(A) A copy of any environmental impact report (EIR) or negative declaration prepared by a lead agency, evidence that a lead agency is preparing or will prepare environmental documentation, or other evidence deemed acceptable by the enforcement agency of showing compliance with the requirements of CEQA.

(B) Where the enforcement agency is required by law to be the lead agency, the applicant shall submit environmental information as set forth in the CEQA guidelines, Title 14, Division 6, Chapter 3, Sections 15000 through 15387 and Appendix H of the California Code of Regulations.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code; and Section 65940, Government Code. Reference: Sections 25071, 25072 and 25077, Health and Safety Code; Sections 21100.2 and 21151.5, Public Resources Code; and Section 65940, Government Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of section transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65611. Application Procedures.

(a) Any person proposing to operate an offsite medical waste treatment facility or transfer station shall submit an application for a medical waste treatment facility or transfer station to the Department. Any person proposing to operate an onsite medical waste treatment facility shall submit an application for an onsite medical waste treatment facility permit to the enforcement agency. Submission of an application for an offsite medical waste treatment facility permit, or a modification or renewal thereof, shall be deemed to occur on the date the application is received by the Department. Submission of an application for an onsite medical waste treatment facility permit, or a modification or renewal thereof, shall be deemed to occur on the date the application is received by the enforcement agency.

(b) An application for a medical waste treatment facility or transfer station permit, or a modification or renewal thereof, is considered complete when the applicant has fully complied with the application requirements set forth in Sections 65610, 65621, and 65625 of this chapter.

NOTE: Authority cited: Section 15376, Government Code; and sections 208, 25017 and 25072, Health and Safety Code. Reference: Section 15376, Government Code; and sections 25070 and 25072, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of section and NOTE transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).

4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65612. Determination of Completeness and Notification.

(a) Within 30 calendar days of receipt of an application for a medical waste treatment facility or transfer station permit, or a request for permit modification pursuant to Section 25078, Health and Safety Code, the enforcement agency shall inform the applicant in writing either that the application is complete and accepted for filing, or that it is deficient and identify the additional specific information necessary for the application to be complete.

(b) The date on which the application is determined complete for filing, or on which the application is determined deficient, shall be the date on which the enforcement agency's written notification to the applicant is postmarked.

NOTE: Authority cited: Section 15376, Government Code; and sections 208 and 25017, Health and Safety Code. Reference: Sections 15376, 65940 and 65943, Government Code; and section 25079, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of section transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65613. Notice of Decision on Application.

(a) The notification of the enforcement agency's decision to grant or deny an application shall be mailed via certified mail to the applicant within 120 calendar days after the date on which the enforcement agency determines the application to be complete and accepted for filing.

(b) Within 20 days after the enforcement agency mails a notice of denial, the applicant may present a written petition for a hearing to the enforcement agency. Upon receipt of the petition, which shall clearly identify that it is an appeal, the petition shall be set for hearing.

(c) If the Department is the enforcement agency, the proceedings shall commence with the filing of a statement of issues and shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(d) If the Department is not the enforcement agency, the hearings shall be held in accordance with the ordinance or resolution adopting the medical waste management program.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code; section 15376, Government Code; and section 21100.2, Public Resources Code. Reference: Section 15376, Government Code; sections 25077 and 25079, Health and Safety Code; and sections 21100.2 and 21151.5, Public Resources Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of subsections (c) and (d) transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65614. Application Time Periods for Processing a Permit Based on Actual Performance.

(a) The Department's time periods for processing a medical waste facility permit, from receipt of the initial application to the final decision regarding the permit or registration, are as follows:

(1) The median time for processing is:

(A) 180 calendar days for a medical waste facility permit;

(2) The minimum time for processing is:

(A) 120 calendar days for a medical waste facility permit;

(3) The maximum time for processing is:

(A) 730 calendar days for a medical waste facility permit.

NOTE: Authority cited: Section 15376, Government Code; and sections 208 and 25017, Health and Safety Code. Reference: Section 15376, Government Code; and section 25077, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65619. Requirements for Medical Waste Facility Permit.

For a new medical waste facility, the permittee may not commence treatment or storage of medical waste; and for a facility being modified, the permittee may not treat or store medical waste in the modified portion of the facility until the permittee has submitted evidence of successful completion of a trial burn, if applicable.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Sections 25072 and 25078, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmittted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of section transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).

§ 22–65620. Scope of Permit Requirement.

(a) Permits are required for storage and treatment of medical waste. Owners and operators of medical waste treatment facilities or transfer stations shall have a valid permit to operate while the facility is in operation. The period of operation includes cleanup and removal of medical waste prior to closure of the facility. The permit shall be terminated by the enforcement agency upon closure.

(b) The following persons are not required to obtain a permit pursuant to this article:

(1) Generators who accumulate their own medical waste on site for up to 7 days above 0 degrees Centigrade, or up to 90 days at or below 0 degrees Centigrade.

(2) A person is not required to obtain a permit for those activities carried out immediately to contain or treat a spill of biohazardous or sharps waste.

(3) Registered small quantity generators providing onsite treatment for their own waste.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Sections 25040, 25040.5, 25062, 25070, 25081, 25084 and 25084.5, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of subsections (a), (b) and (b)(1) and NOTE transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65621. Application for a Permit.

(a) Any person who is required to have a medical waste facility permit (including new applicants and permittees with expiring permits) shall

complete, sign, and submit an original application with two copies to the enforcement agency. In order to continue operations after January 1, 1992, persons authorized to operate under an interim status infectious waste facility permit effective January 1, 1991, shall comply with the provisions of this article in submitting a medical waste treatment facility permit application. The application shall be completed by the applicant pursuant to Sections 65610 through 65612, 65622, and 65625 and must be approved by the enforcement agency prior to a permit being issued. Failure to provide the renewal information required in these sections prior to January 1, 1992, shall result in a final permit not being issued.

(b) For new onsite medical waste facilities, the application shall be filed with the enforcement agency, and written approval by the enforcement agency shall be provided before construction can commence. For all offsite medical waste facilities, the applications shall be filed with the Department and written approval by the Department shall be provided before construction can commence.

(c) Any ongoing medical waste treatment facility or transfer station with a valid permit which is about to expire shall submit a new permit application at least 90 days before the expiration date of the effective permit.

(d) When a facility is owned by one person but is operated by another person, it is the operator's duty to obtain a permit. Both the owner and operator shall sign the application.

(e) No medical waste shall be treated until the applicant has fully complied with the application requirements for that permit and the permit has been issued by the enforcement agency.

(f) Applicants shall keep records of all data used to complete the permit application, along with any supplemental information submitted, for the life of the permit.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Sections 25070, 25072, 25074, 25077 and 25097, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of subsections (a), (b), (c) and (e) transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65622. Signatories to Permit Applications and Reports.

(a) All permit applications shall be signed by both the owner and operator of the medical waste facility as follows:

(1) For a corporation: By a responsible corporate officer authorized to make management decisions which govern the operation of the regulated facility.

(2) For a partnership or sole proprietorship: By a general partner or the proprietor, respectively; or

(3) For a municipality, state, federal or other public agency: By either a principal executive officer or ranking elected official.

(b) All reports required by permits and other information requested by the enforcement agency shall be signed by a person described in subsection (a) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in subsection (a) of this section;

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent or position of equivalent responsibility (a duly authorized person may be a named individual or any individual occupying a named position); and

(3) The written authorization is submitted to the enforcement agency.

(c) If an authorization under subsection (b) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of subsection (b) of this section shall be submitted to the enforcement agency prior to or together with any reports, information or applications to be signed by an authorized representative.

(d) Any person signing a document under subsection (a) or (b) of this section shall make the following certification:

"I certify under penalty of perjury that this document and all attachments have been prepared under my direction and supervision in accordance with a system to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those directly responsible for gathering the information, the information is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

City:_____

State:_____

Date:_____

Name:_____
(Please print)

Signature:_____"

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Sections 25072, 25098 and 25099.1, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of subsections (a), (b), (b)(3), (c) and (d) transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65623. Requirements Applicable to All Permits.

(a) The permittee shall comply with all requirements of this article and any specific conditions of the permit.

(b) No permittee shall continue an activity regulated by a medical waste facility permit after the expiration date of the permit. If the permittee fails to make a timely application for renewal, the medical waste permit shall expire on the expiration date.

(c) In an enforcement action, it shall not be a defense for a permittee to state or show that reducing or ceasing of the permitted activity would have been necessary in order to maintain compliance with the requirements of this article.

(d) The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the conditions of the permit.

(e) The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the specific conditions of the permit and requirements of this article. Proper operation and maintenance shall include but not be limited to effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. Backup or auxiliary facilities or similar systems shall be operated only when necessary to achieve compliance with the requirements of this article.

(f) The permittee shall furnish to the enforcement agency any relevant information which the enforcement agency may request to determine

whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. The permittee shall also furnish to the enforcement agency upon request copies of records required to be kept by the permit. Such information shall be furnished within 30 days or as otherwise set by the enforcement agency if a longer duration is required.

(g) The permittee shall allow an authorized representative of the enforcement agency to:

(1) Enter, at reasonable times, the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(3) Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the permit; and

(4) Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by law, any substances or parameters at any location.

(h) The permittee shall establish and maintain a monitoring and sampling program.

(1) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(2) The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit, for a period of at least three years from the date of the sample, measurement, report, or application. This period may be extended by request of the enforcement agency at any time.

(3) Records of monitoring information shall include:

(A) The date, exact place, and time of sampling or measurements;

(B) The individual(s) who performed the sampling or measurements;

(C) The date(s) analyses were performed;

(D) The individual(s) who performed the analyses;

(E) The analytical techniques or methods used; and

(F) The results of such analyses.

(i) All applications, reports, or information submitted to the enforcement agency shall be signed and certified (see Section 65622).

(j) The permittee shall meet all reporting requirements as required below:

(1) The permittee shall give notice to the enforcement agency as soon as possible and at least 30 days in advance of any planned physical alterations or additions to the permitted facility.

(2) Reports of compliance or noncompliance with, or any progress reports on, interim and final conditions contained in any compliance schedule of the permittee's permit shall be submitted no later than 14 days following each scheduled date.

(3) The permittee shall report any noncompliance with the Medical Waste Management Act (Health and Safety Code, Sections 25015 et seq.) or this chapter which may endanger health, safety, or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written report shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written report shall contain a description of the noncompliance as specified above, and its cause; the period of noncompliance, including exact starting and ending dates and time frames, and, if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence.

(4) The permittee shall report all instances of noncompliance with permit conditions not reported under subsections (1), (2), and (3) of this Section, at the time the monitoring reports are submitted. The reports shall contain the information listed in subsections (1) and (3) of this section.

(5) Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the enforcement agency, it shall promptly submit the relevant facts or correct information.

(k) For a new medical waste facility, the permittee may not commence treatment or storage of medical waste; and for a facility being modified, the permittee may not treat or store medical waste in the modified portion of the facility until:

(1) The permittee has submitted to the enforcement agency, by certified mail or hand delivery, a letter signed by the permittee and a professional engineer, registered in California, stating that the facility has been constructed or modified in compliance with the permit; and

(2) The enforcement agency has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit;

(*l*) The following shall be included as information which shall be reported orally within 24 hours under subsection (j)(3) of this section:

(1) Information concerning release of any medical waste that may endanger the public health;

(2) Any information of a release or discharge of medical waste from or of a fire or explosion at a medical waste facility which could threaten the environment or human health outside the facility. The description of the occurrence and its cause shall include:

(A) Name, address, and telephone number of the owner or operator;

(B) Name, address, and telephone number of the facility;

(C) Date, time, and type of incident;

(D) Name and quantity of material(s) involved;

(E) The extent of injuries, if any;

(F) An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable; and

(G) Estimated quantity and disposition of recovered material that resulted from the incident.

(m) The permittee shall attempt to reconcile any significant discrepancy in a tracking document. The permittee shall also report any medical waste received without a tracking document. In either case, the discrepancy with or without a tracking document shall be reported to the enforcement agency within 15 days.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Sections 25040.5, 25050, 25062, 25063, 25064, 25070, 25071, 25072, 25072.5, 25074 and 25075, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of section and NOTE transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65624. Duration of Permits.

The term of a medical waste facility permit shall not exceed 5 years.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Sections 25049, 25050, 25059 and 25074, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–65625. Contents of a Medical Waste Treatment Facility Permit Application.

(a) The application shall include the following information:

(1) The name, business address, and telephone number of the owner and operator of the facility. Include ownership status as federal, state, local government or other public or private entity.

(2) The name, mailing address, and location of the facility for which the application is submitted.

(3) A description of the nature of the business and activities which require it to have a permit.

(4) An indication of whether the facility is new or existing and whether it is a first or revised application.

(5) A description of the process to be used for treating, storing, and disposing of medical waste (i.e. incinerator, autoclave, or other approved treatment technology as specified in Section 25090(d) Health and Safety Code).

(6) A description of the treatment and/or storage capacity of the facility, an estimate of the average monthly quantity of the waste to be treated and/or stored, and a general description of the process to be used for disposal of treated wastes.

(7) A scale drawing and general description of the facility showing location of all treatment and storage areas.

(8) A map extending one mile beyond the property boundary of the facility identifying access roads and the type of development in the area (i.e., residential, commercial, recreational, schools, etc.).

(9) A disclosure statement, as required in Section 25072 of the Health and Safety Code.

(10) A description of the security procedures required pursuant to Section 25086 of the Health and Safety Code.

(11) A copy of the general operation plan including a schedule for inspection and calibration of monitoring equipment, a description of disinfection procedures, location and type of safety and emergency equipment, location and type of security devices, and operating and structural equipment that are important in preventing or responding to medical–waste related environmental or human health hazards.

(12) A copy of the emergency action plan addressing equipment breakdowns, natural disasters, or other occurrences as required in Section 25092, Health and Safety Code.

(13) An outline of both the introductory and continuing training programs which will be provided by owners or operators to prepare employees to operate or maintain the medical waste treatment facility in a safe manner. A brief description of how training will be designed to meet actual job tasks.

(14) A copy of the closure plan including a written estimate of the cost of closing a facility. The estimate shall equal the cost of closure at the point in the facility's operating life when the extent and manner of its operation would make closure the most expensive, as indicated by its closure plan. The owner shall revise the closure cost estimate whenever a change in the closure plan increases the cost of closure.

(15) A description of the compliance history of the applicant under any local, state, or federal law or regulation governing the control of medical waste or pollution including, but not limited to, the Clean Air Act. Such description shall include all violations as specified in Section 25072.5 of the Health and Safety Code which have occurred at this or any other facility permitted and owned or operated by the applicant in the State for the three years prior to the date of this application.

(16) A schedule for the installation of monitoring equipment and a written statement of operating procedures covering the proper use, maintenance, and testing of such equipment.

(17) A monitoring schedule, including type of monitoring, intervals and frequency of monitoring sufficient to yield data which are representative of the monitored activity, including, when appropriate, continuous monitoring.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Sections 25071, 25072, 25072.5, 25073, 25090 and 25092, Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of subsections (a)(5), (11), (12), (13), (15) and (17) transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of subsection (a)(13) and HISTORY 2 (Register 95, No. 47).

§ 22–65628. Application Fees.

(a) Each person submitting an offsite treatment facility permit application will be charged a processing fee of one hundred dollars ($100) per hour up to a maximum of fifty thousand dollars ($50,000). The processing fee is to cover costs for technology evaluation, construction inspections, and review of records relative to monitoring procedures and operation. The fee will be billed as follows:

(1) An initial deposit of twenty–five thousand dollars ($25,000) with the application.

(2) When the costs for processing the application reach 75 percent of the initial deposit, a second deposit amounting to one–half of the initial deposit shall be paid, and if processing costs exceed 75 percent of the second deposit, the remaining twelve thousand, five hundred dollars ($12,500) shall be charged.

(3) For subsequent deposits, after the first deposit, the Department shall give 30 days notice by registered mail of the further amount of fee due. If this amount is not received by the Department within the stated 30–day period, the application shall be denied, and there shall be no refund to the applicant.

NOTE: Authority cited: Sections 208 and 25017, Health and Safety Code. Reference: Sections 25036, 25079, 25079.1, 25079.2 and 25079.3(b), Health and Safety Code.

HISTORY

1. New section filed 10–15–91 as an emergency; operative 10–15–91 (Register 92, No. 7). A Certificate of Compliance must be transmitted to OAL 2–12–92 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 1–23–92 as an emergency; operative 2–12–92 (Register 92, No. 15). A Certificate of Compliance must be transmitted to OAL 6–11–92 or emergency language will be repealed by operation of law on the following day.
3. Certificate of Compliance as to 1–23–92 order including amendment of section transmitted to OAL 6–2–92 and filed 7–14–92 (Register 92, No. 29).
4. Editorial correction of HISTORY 2 (Register 95, No. 47).

§ 22–66001. Accidental Occurrence.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day hereafter (Register 85, No. 2). For history of Chapter 30, see Register 79, No. 19.
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66001.5. Active Portion.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66002. Acute Aquatic 96–Hour LC_{50}.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41). For history of Chapter 30, see Register 79, No. 19.
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66004. Acute Dermal LD_{50}.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).

2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66005. Acute Inhalation LC_{LO}.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66006. Acute Inhalation LC_{50}.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66007. Acute LD_{LO}.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66008. Acute Oral LD_{50}.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66010. Acute Toxicity.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66011. Applicant.

NOTE: Authority cited: Sections 208, 25150 and 25168.1, Health and Safety Code. Reference: Section 25165, Health and Safety Code.

HISTORY

1. New section filed 10–6–81 as an emergency; effective upon filing (Register 81, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–82.
2. Certificate of Compliance transmitted to OAL 2–2–82 and filed 3–8–82 (Register 82, No. 11).
3. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66011.1. Aquifer.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66011.2. Assets.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66011.3. Authorized Representative.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66012. Bioaccumulative Toxic Substance.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66013. Bodily Injury.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66015. Cargo Tank.

NOTE: Authority cited: Sections 208, 25150 and 25168.1, Health and Safety Code. Reference: Sections 25163(d), 25168, 25168.2, 25168.3 and 25169.1, Health and Safety Code.

HISTORY

1. New section filed 10–6–81 as an emergency; effective upon filing (Register 81, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–82.
2. Certificate of Compliance transmitted to OAL 2–2–82 and filed 3–8–82 (Register 82, No. 11).
3. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66015.5. Certification.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66016. Chemical Toilet.

NOTE: Authority cited: Section 25210, Health and Safety Code. Reference: Section 25210, Health and Safety Code.

HISTORY

1. Renumbering of sections 60091, 60093, and 60095 from Chapter 1, and Sections 60102–60297 from Chapter 2, to form new Chapter 30 (Sections 66016–66898); filed 5–10–79; effective thirtieth day thereafter. See cross-reference table listing old and new section numbers (Register 79, No. 19).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66020. Chemical Toilet Additive.

NOTE: Authority cited: Section 25210, Health and Safety Code. Reference: Section 25210, Health and Safety Code.

HISTORY

1. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66024. Chemical Toilet Waste.

NOTE: Authority cited: section 25210, Health and Safety Code. Reference: Section 25210, Health and Safety Code.

HISTORY

1. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66026. Chronic Toxicity.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66027. Closed Portion.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).

2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66027.6. Closure Plan.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66027.8. Confined Aquifer.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66027.9. Constituent.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66028. Container.

NOTE: Authority cited: Sections 208, 25150 and 25168.1, Health and Safety Code. Reference: Sections 25123, 25123.5, 25163(d), 5167.3, 25168, 25168.2, 25168.3 and 25169.1, Health and Safety Code.

HISTORY

1. Amendment filed 10–6–81 as an emergency; effective upon filing (Register 81, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–82.
2. Certificate of Compliance transmitted to OAL 2–2–82 and filed 3–8–82 (Register 82, No. 11).
3. Amendment filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
4. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66032. Corrosive.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. Amendment filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66033. Contingency Plan.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66036. Covered Container.

HISTORY

1. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66038. Current Assets.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66038.2. Current Closure Cost Estimate.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).
3. Editorial correction of section heading (Register 95, No. 47).

§ 22–66038.4. Current Liabilities.

NOTE: Authority cited: section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66038.6. Current Post–Closure Cost Estimate.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66038.9. Decontaminate.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66040. Dike.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66041. Discharge.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66042. Disposal.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66044. Disposal Facility.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66048. Elementary Neutralization Unit.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66049. End–User.

NOTE: Authority cited: Sections 208, 25150 and 25159.5, Health and Safety Code. Reference: Sections 25159.5 and 25170, Health and Safety Code.

HISTORY

1. New section filed 7–29–85; effective thirtieth day thereafter (Register 85, No. 31).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66050. Environmental Protection Agency (EPA) Identification Number.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).

2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66052. Disposal Site.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY

1. Repealer filed 1–3–85; effective thirtieth day thereafter Register 85, No. 2).

§ 22–66056. Existing Hazardous Waste Facility.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66058. Existing Portion.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66060. Extremely Hazardous Material.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. Amendment filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66070. Facility.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).,

§ 22–66071. Fine Powder.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code. Reference: Section 25170, Health and Safety Code.

HISTORY

1. New section filed 7–29–85; effective thirtieth day thereafter (Register 85, No. 31).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66074. Freeboard.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 2).

§ 22–66076. Free Liquids.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66078. Generator.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66079. Ground Water.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66080. Hauler.

NOTE: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Amendment filed 10–6–81 as an emergency; effective upon filing (Register 81, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–82.
2. Certificate of Compliance transmitted to OAL 2–2–82 and filed 3–8–82 (Register 82, No. 11).
3. Amendment filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
4. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66084. Hazardous Material.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Sections 25117 and 25141, Health and Safety Code.

HISTORY

1. Amendment filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66088. Hazardous Waste.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY

1. Repealer filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Editorial correction of NOTE filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
3. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66092. Hazardous Waste Area.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY

1. Repealer filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).

§ 22–66096. Hazardous Waste Facility.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66099. Hazardous Waste Facility Permit.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66100. Hazardous Waste Facility Permit.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY

1. Repealer filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).

§ 22–66104. Hazardous Waste Manifest.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY

1. Repealer filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).

§ 22–66106. Highway.

NOTE: Authority cited: Sections 208, 25150 and 25168.1, Health and Safety Code. Reference: Section 25169.1(b), Health and Safety Code.

HISTORY

1. New section filed 10–6–81 as an emergency, effective upon filing (Register 81, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–81.
2. Certificate of Compliance transmitted to OAL 2–2–82 and filed 3–8–82 (Register 82, No. 11).

3. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66107. Ignitable.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66108. In Operation.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66109. Inactive Portion.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66110. Incinerator.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66111. Incompatible Waste.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66112. Independently Audited.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66113. Injection Well.

NOTE: Authority cited: Section 208, Health and safety Code. Reference: Sections 25159 and 25159.5, Health and safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66114. Inner Liner.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66115. Interim Status.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66116. International Shipment.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66120. Irritant.

NOTE: Authority and reference cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. Amendment filed 5–10–79; effective thirtieth day thereafter (Register 79, No. 19).
2. Repealer filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
3. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66122. Land Disposal Method.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 12–23–82; effective thirtieth day thereafter (Register 82, No. 52).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66123. Landfill.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66124. Landfill Cell.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Renumbering of former Section 66124 to Section 66129.5 and new Section 66124 filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective thirtieth day thereafter (Register 91, No. 22).

§ 22–66125. Land Treatment Facility.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66126. Leachate.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66127. Legal Defense Costs.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66128. Liabilities.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66129. Liner.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66129.5. Load.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code. Reference: section 25150, Health and Safety Code.

HISTORY
1. Renumbering of Section 66124 to section 66129.5 filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66130. Management.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66131. Manifest.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66131.4. Manifest Document Number.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66132. Manifest.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY
1. Repealer filed 1-3-85; effective thirtieth day thereafter Register 85, No. 2).

§ 22-66133. Movement.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66134. Net Working Capital.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66134.5. Net Worth.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference:Sections 25245 and 25246, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66134.8. New Hazardous Waste Facility.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66135. Nonsudden Accidental Occurrence.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66136. Off-Site Hazardous Waste Facility.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY
1. Repealer filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).

§ 22-66140. On-Site Hazardous Waste Facility.

NOTE: Authority cited, Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY
1. Repealer and new section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66142. Open Burning.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66144. Operator.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY
1. Repealer and new section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66146. Owner.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66148. Operation Plan.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY
1. Repealer filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).

§ 22-66150. Parent Corporation.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 22).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66151. Part A of Permit Application.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY
1. New Section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66151.1. Part B of Permit Application.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY
1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66152. Partial Closure.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66154. Permitted Facility.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66156. Persistent Toxic Substance.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9-27-84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66158. Personnel.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66160. Pile.

NOTE: Authority cited: section 208, Health and Safety code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66162. Point Source.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66163. Post-Closure Plan.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66164. Producer.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Amendment filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66165. Property Damage.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66166. Publicly Owned Treatment Works.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66168. Reactive.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9-27-84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66172. Recyclable Hazardous waste.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY

1. New section filed 5-16-79; effective thirtieth day thereafter (Register 79, No. 19).
2. Repealer filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).

§ 22-66174. Recycle.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY

1. New section filed 5-16-79; effective thirtieth day thereafter (Register 79, No. 19).
2. Repealer filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).

§ 22-66176. Registered Hazardous Waste Transporter.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25150 and 25163, Health and Safety Code.

HISTORY

1. Amendment filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66178. Representative Sample.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66180. Resource Recovery.

NOTE: Authority cited: Section 25150, Health and Safety Code. Reference: Sections 25170.5 and 25175, Health and Safety Code.

HISTORY

1. Amendment filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66181. Resource Recovery Facility.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code. Reference: Section 25170, Health and Safety Code.

HISTORY

1. New section filed 7-29-85; effective thirtieth day thereafter (Register 85, No. 38). Printing of Section 66181 delayed due to omission of text by printing plant during processing of Register 85, No. 31.
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66184. Reuse.

NOTE: Authority cited: sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY

1. Repealer filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).

§ 22-66186. Run-off.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1-3-85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5-24-91; effective 7-1-91 (Register 91, No. 22).

§ 22-66187. Run-on.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66188. Salvaging.

NOTE: Authority cited: sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY

1. Repealer filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).

§ 22–66189. Saturated Zone.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66189.5. Scrap Metal.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code. Reference: Section 25170, Health and Safety Code.

HISTORY

1. New section filed 7–29–85; effective thirtieth day thereafter (Register 85, No. 38). Printing of Section 66189.5 delayed due to omission of text by printing plant during processing of Register 85, No. 31.
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66190. Semitrailer.

NOTE: Authority cited: Sections 208, 25150 and 25168.1, Health and Safety Code. Reference: Sections 25163 (d), 25168, 25168.2, 25168.3 and 25169.1, Health and Safety Code.

HISTORY

1. New section filed 10–6–81 as an emergency; effective upon filing (Register 81, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–82.
2. Certificate of Compliance transmitted to OAL 2–2–82 and filed 3–8–82 (Register 82, No. 11).
3. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66190.2. Series 'A' Resource Recovery Facility Permit.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code. Reference: Sections 25170 and 25201, Health and Safety Code.

HISTORY

1. New section filed 7–29–85; effective thirtieth day thereafter (Register 85, No. 38). Printing of Section 66190.2 delayed due to omission of text by printing plant during processing of Register 85, No. 31.
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66190.4. Series B Resource Recovery Facility Permit.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code. Reference: Sections 25170 and 25201, Health and Safety Code.

HISTORY

1. New section filed 7–29–85; effective thirtieth day thereafter (Register 85, No. 31).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66190.6. Series C Resource Recovery Facility Permit.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code. Reference: Sections 25170 and 25201, Health and Safety Code.

HISTORY

1. New section filed 7–29–85; effective thirtieth day thereafter (Register 85, No. 31).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66191. Sharps.

NOTE: Authority cited: Sections 208, 25150 and 25157.3, Health and Safety Code. Reference: Sections 25117 and 25117.5, Health and Safety Code.

HISTORY

1. New section filed 12–30–83 as an emergency; effective upon filing (Register 84, No. 3). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 4–29–84.
2. Certificate of Compliance transmitted to OAL 4–30–84 and withdrawn 5–30–84 (Register 84, No. 24).
3. New section filed 5–30–84 as an emergency; effective upon filing (Register 84, No. 24). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 9–27–84.
4. Certificate of Compliance transmitted to OAL 9–26–84 and filed 10–16–84 (Register 84, No. 41).
5. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66193. Sludge.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66194. Soluble Threshold Limit Concentration.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66195. Special Waste.

NOTE: Authority cited: Sections 208, 25141, 25143 and 25150, Health and Safety Code. Reference: Sections 25117 and 25143, Health and Safety Code.

HISTORY

1. New section filed 4–30–85; effective thirtieth day thereafter (Register 85, No. 18).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66196. Spill.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66199. Sudden Accidental Occurrence.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66200. Surface Impoundment

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66201. Surplus Material.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code. Reference: Section 25170, Health and Safety Code.

HISTORY

1. New section filed 7–29–85; effective thirtieth day thereafter (Register 85, No. 31).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66202. Tangible Net Worth.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25245 and 25246, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66203. Tank.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).

2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66204. Thermal Treatment.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 22).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66206. Total Threshold Limit Concentration.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. New section filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66208. Totally Enclosed Treatment Facility.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66209. Toxicity Concentration Leaching Procedure or TCLP.

NOTE: Authority cited: Sections 208, 25150, 25159 and 25179.6, Health and Safety Code. Reference: Sections 25159, 25159.5 and 25159.6, Health and Safety Code.

HISTORY

1. New section filed 5–24–89; operative 6–23–89 (Register 89, No. 22).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66210. Trailer.

NOTE: Authority cited: Sections 208, 25150 and 25168.1, Health and Safety Code. Reference: Sections 25163(d), 25168, 25168.2, 25168.3 and 25169.1, Health and Safety Code.

HISTORY

1. New section filed 10–6–81 as an emergency; effective upon filing (Register 81, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–82.
2. Certificate of Compliance transmitted to OAL 2–2–82 and filed 3–8–82 (Register 82, No. 11).
3. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66212. Transfer Station.

NOTE: Authority cited: Sections 208 and 25150, Health and Safety Code. Reference: Sections 25150, 25154, 25159, 25159.5 and 25201, Health and Safety Code.

HISTORY

1. Amendment filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66213. Transport Vehicle.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66213.2. Transportable Treatment Units.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25150 and 25200.2, Health and Safety Code.

HISTORY

1. New section filed 4–19–88 as an emergency; operative 5–19–88 (Register 88, No. 18). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 8–17–88.
2. New section refiled 8–17–88 as an emergency; operative 9–17–88 (Register 88, No. 34). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 12–15–88.
3. Certificate of Compliance including amendment transmitted to OAL 12–15–88 and filed 1–17–89 (Register 89, No. 6).
4. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66213.5. Transportation.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66214. Transporter.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 10–6–81 as an emergency; effective upon filing (Register 81, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–82.
2. Certificate of Compliance transmitted to OAL 2–2–82 and filed 3–8–82 (Register 82, No. 11).
3. Amendment filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
4. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66216. Treatment.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66218. Treatment Zone.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66220. Treatment Facility.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25150 and 25159, Health and Safety Code.

HISTORY

1. Repealer filed 1–3–85; effective thirtieth day thereafter Register 85, No. 2).

§ 22–66222. Truck.

NOTE: Authority cited: Sections 208, 25150 and 25168.1, Health and Safety Code. Reference: Sections 25163(d), 25168, 25168.2, 25168.3 and 25169.1, Health and Safety Code.

HISTORY

1. New section filed 10–6–81 as an emergency; effective upon filing (Register 81, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–82.
2. Certificate of Compliance including amendment transmitted to OAL 2–2–82 and filed 3–8–82 (Register 82, No. 11).
3. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66224. Underground Injection.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66225. Unsaturated Zone.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66225.5. Uppermost Aquifer.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66226. Vacuum Tank.

NOTE: Authority cited: Sections 208, 25150 and 25168.1, Health and Safety Code. Reference: Sections 25163(d), 25168, 25168.2, 25168.3 and 25169.1, Health and Safety Code.

HISTORY

1. New section filed 10–6–81 as an emergency; effective upon filing (Register 81, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–82.
2. Certificate of Compliance transmitted to OAL 2–2–82 and filed 3–8–82 (Register 82, No. 11).
3. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66228. Variance.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. Amendment filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66230. Vehicle.

NOTE: Authority cited: Sections 208, 25150 and 25168.1, Health and Safety Code. Reference: Sections 25163(d), 25168, 25168.2, 25168.3 and 25169.1, Health and Safety Code.

HISTORY

1. New section filed 10–6–81 as an emergency; effective upon filing (Register 81, No. 42). A Certificate of Compliance must be transmitted to OAL within 120 days or emergency language will be repealed on 2–3–82.
2. Certificate of Compliance including amendment transmitted to OAL 2–2–82 and filed 3–8–82 (Register 82, No. 11).
3. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66232. Vessel.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66234. Wastewater Treatment Unit.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66236. Water Reactive.

NOTE: Authority cited: Sections 208, 25141 and 25150, Health and Safety Code. Reference: Section 25141, Health and Safety Code.

HISTORY

1. Amendment filed 9–27–84; effective thirtieth day thereafter (Register 84, No. 41).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66238. Water Bulk Shipment.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. New section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§ 22–66240. Well.

NOTE: Authority cited: Section 208, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code.

HISTORY

1. Repealer and new section filed 1–3–85; effective thirtieth day thereafter (Register 85, No. 2).
2. Repealer filed 5–24–91; effective 7–1–91 (Register 91, No. 22).

§§ 22–66260.1—22–67800.5. [Removed]

HISTORY

1. Removal of sections 22–66260.1—22–67800.5 from title 26 filed 3–25–96 pursuant to Cal. Code Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 22 (Register 96, No. 13).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 23. State Water Resources Control Board

(Title 23)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 23. State Water Resources Control Board

TABLE OF CONTENTS

Page

Division 23. State Water Resources Control Board 301

Division 23. State Water Resources Control Board

(Title 23)

§§ 23–2200—23–3833. [Removed]

HISTORY

1. Removal of sections 23–2200—23–3833 from title 26 filed 3–25–96 pursuant to Cal. Code Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 23 (Register 96, No. 13).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

Title 26. Toxics

Division 27. Environmental Protection Agency

(Title 27)

Vol. 34

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Division 27. Environmental Protection Agency

TABLE OF CONTENTS

Page

Division 27. Environmental Protection Agency 303

Division 27. Environmental Protection Agency

(Title 27)

§§ 27–15100—27–15320. [Removed]

HISTORY

1. Removal of sections 27–15100—27–15320 from title 26 filed 3–25–96 pursuant to Cal. Code Regs., tit. 1, section 100. For current versions or prior history, see corresponding section(s) in title 27 (Register 96, No. 13).

* * *

Barclays Official

CALIFORNIA CODE OF REGULATIONS

SUBJECT INDEX

Title 26

Toxics

THOMSON
WEST

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
425 Market Street • Fourth Floor • San Francisco, CA 94105
800–888–3600

Index updated through Register 2007, Number 52; December 28, 2007

© 2008 THOMSON/WEST

BARCLAYS AND BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS ARE TRADEMARKS USED HEREIN UNDER LICENSE.

A

ABANDONMENT
Radiation sources, 26:17-30350.3

ACCESS TO INFORMATION
Radioactive waste, land disposal documents, 26:17-30475

ACCIDENTS
See also EMERGENCY SERVICES OFFICE
Hazardous wastes and materials, reporting requirements, 26:13-1166

ACRYLAMIDE
Water contamination
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-H

ADDITIVES
Public water system, prohibitions, 26:22-64700

AGRICULTURE
Animals
See ANIMALS
Direct marketing, producer license processing times under Permit Reform Act, 26:3-300
Fertilizers, license processing times, 26:3-300
Food and Agriculture Department, license processing times under Permit Reform Act, 26:3-300
Garbage-fed swine, permit processing time, 26:3-300
Hazardous material release, warning signs
–Applicability, 26:19-2733
–Specifications, 26:19-2734
Milk producer licensing under Permit Reform Act, 26:3-300
Permit Reform Act, processing times, 26:3-300
Pest control
See PEST CONTROLLERS
Pesticides
See PESTICIDES
Poultry
See POULTRY AND POULTRY PRODUCTS

AIR POLLUTION AND CONTROL
Smog
See MOTOR VEHICLES, subheading: Smog check program

AIR TRANSPORTATION
Aircraft, waste disposal license processing times under Permit Reform Act, 26:3-300
Cargo, contraband-detection fluoroscopy, 26:17-30337

ALACHLOR
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

ALARMS
Water reclamation plants, 26:22-60335
–Recording, 26:22-60329

ALUMINUM
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

AMBULANCES
Hazardous materials release, coordination with Office of Emergency Services, 26:19-2724

ANHYDROUS AMMONIA
Transportation exemption, 26:13-1160.1

ANIMAL FEED
Licensing, processing times under Permit Reform Act, 26:3-300

ANIMALS
See also PETS; specific type of animal
Biologics, production licensing processing time, 26:3-300
Buses or motor carriers transporting, 26:13-1216
Commercial feed licensing, processing times under Permit Reform Act, 26:3-300
Endangered species chaparral management program, protection under, 26:14-1569.1
Garbage-fed swine, permit processing time, 26:3-300
Motor carriers transporting, 26:13-1216
Permits and licenses required for, processing time in Department of Food and Agriculture, 26:3-300
Pets
See PETS
Poultry
See POULTRY AND POULTRY PRODUCTS
Protected species
See ENDANGERED SPECIES
Veterinarians' x-ray equipment, 26:17-30314
Wild animals
See WILD ANIMALS

ANTIMONY
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

ARSENIC
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

ASBESTOS
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

ATOMIC WEAPONS
Toll bridges, prohibited vehicles, 26:21-1401.2

ATRAZINE
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

AUTOMOBILES
See MOTOR VEHICLES
Repair dealers
See AUTOMOTIVE REPAIR DEALERS

AUTOMOTIVE REPAIR BUREAU
Application processing times, 26:16-3303.2
Brake adjusters and stations
See MOTOR VEHICLES
Definitions, 26:16-3340.1
Lamp adjusters and stations, licensing, 26:16-3303.2
Smog check program
See MOTOR VEHICLES, subheading: Smog check program

AUTOMOTIVE REPAIR DEALERS
Application processing times, 26:16-3303.2
Brakes, licensing of adjusters and stations, 26:16-3303.2
Emissions control systems
See MOTOR VEHICLES, subheading: Smog check program
Toxic waste disposal, recordkeeping requirements, 26:16-3356.1

AVIATION
See AIR TRANSPORTATION

B

BACTERIA
Water pollution, notice of potential adverse health effects, 26:22-64465 Appx. 64465-B

BARIUM
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

BEAUTICIANS AND BARBERS
Cosmetology
See COSMETOLOGY AND ELECTROLOGY
Diseases, communicable, 26:16-984
Electrology
See COSMETOLOGY AND ELECTROLOGY
Personal hygiene, 26:16-983
Sanitation and disinfection procedures, 26:16-979-26:16-982

BENTAZON
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

BENZENE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

BENZO(A)PYRENE
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

BERYLLIUM
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

BIOLOGICS
Animal biologics, production licensing processing time, 26:3-300

BOATS AND BOATING
Marine insurance, 26:10-2321
Waste disposal
–License processing times under Permit Reform Act, 26:3-300
–Parks and Recreation provisions, 26:14-4661

BONDS, SECURITY
Radioactive waste disposal, 26:17-30481, 26:17-30483

BORON
Water monitoring, notice of results, 26:22-64466

BRAKES
Automobiles, licensing of adjusters and stations, 26:16-3303.2

BRIDGES, TOLL
See TOLL BRIDGES

BROMATE
Water disinfectants and byproducts, notice of potential adverse health effects, 26:22-64465 Appx. 64465-G

BUGS
See INSECTS

BURIALS
Embalming
See EMBALMERS AND EMBALMING

BURNING
See generally FIRE PREVENTION; OPEN BURNING

BUSES
Federal regulations, 26:13-1202.1

BUSINESS TAXES
Oil spill prevention and administration fees, 26:18-2231, 26:18-2232

C

CADMIUM
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

CALIFORNIA HAZARDOUS LIQUID PIPELINE SAFETY ACT, 26:19-2070-26:19-2075

CALIFORNIA PIPELINE SAFETY ACT, 26:19-2040

CAMPS AND CAMPING
State forests, polluting of waters prohibited, 26:14-1422

CARBOFURAN
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

CARBON TETRACHLORIDE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

CARCINOGENS
See generally HAZARDOUS SUBSTANCES; specific substance by name

CARGO CARRIERS
See AIR TRANSPORTATION; MOTOR CARRIERS

CARGO TANKS
Hazardous wastes
See HAZARDOUS MATERIALS, TRANSPORTATION

CAR REPAIRS
See AUTOMOTIVE REPAIR DEALERS

CARRIERS
See AIR TRANSPORTATION; COMMON CARRIERS; MOTOR CARRIERS; TRANSPORTATION

CARS
See MOTOR VEHICLES
Repairs
See AUTOMOTIVE REPAIR DEALERS

CATS
See generally PETS

CERTIFICATES AND CERTIFICATION
Food and Agriculture Department processing times, 26:3-300
Hazardous substances
–Emergency response training
––Course manager, duties and responsibilities, 26:19-2540
––Curriculum requirements, 26:19-2520, 26:19-2540
––Instructors, 26:19-2530, 26:19-2540
–Transportation, 26:13-1161.1
Mammograph technologists, 26:17-30455.1
Motor vehicle smog check program
–Fleet facilities, 26:16-3340.50.4
–Stations, 26:16-3340.35, 26:16-3340.36

CERTIFICATES AND CERTIFICATION–*continued*
Radiologic technologists
See RADIOLOGIC TECHNOLOGY
Vector control technicians
–Continuing education requirements, 26:17-30061
–Denial, 26:17-30058
–Examinations, 26:17-30055-26:17-30056.4
–Processing, 26:17-30056.5
–Revocation or suspension, 26:17-30058
Wastewater treatment methods
See WASTEWATER TREATMENT AND RECLAMATION

CHAPARRAL MANAGEMENT PROGRAM
See FORESTRY, subheading: Chaparral management program

CHEMICALS
See also specific chemical by name
Forestry
–Chaparral management program, use restrictions, 26:14-1569.5
–Forest improvement program, use restrictions, 26:14-1545.5
Hazardous substances
See HAZARDOUS SUBSTANCES
Pesticides
See PESTICIDES
Sanitization, home furnishing fillings, 26:4-1264
Toxic
See HAZARDOUS SUBSTANCES
Water
See WATER; WATER POLLUTION AND CONTROL

CHICKENS
See POULTRY AND POULTRY PRODUCTS

CHLORDANE
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

CHLORIDE
Water contamination, consumer confidence reports, 26:22-64481 Appx. B

CHLORINE
Water disinfectants and byproducts, notice of potential adverse health effects, 26:22-64465 Appx. 64465-G

CHLORINE DIOXIDE
Water disinfectants and byproducts, notice of potential adverse health effects
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-G

CHLORITE
Water disinfectants and byproducts, notice of potential adverse health effects
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-G

CHROMIUM
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

CITIES
Hazardous substance release, coordination with Office of Emergency Services, 26:19-2724

CLEANUPS, HAZARDOUS SUBSTANCE SPILLS
See SPILLS

COLIFORM
Public water system
–Consumer confidence reports, 26:22-64481 Appx. A
–Maximum levels, 26:22-64426.1
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-A
–Testing for, 26:22-64422-26:22-64427

COMMERCIAL COACHES
Federal regulations, 26:13-1202.1

COMMERCIAL FEED
Licensing, processing times under Permit Reform Act, 26:3-300

COMMON CARRIERS
Radiation sources, exemption from registration, 26:17-30126, 26:17-30180

CONFIDENTIAL INFORMATION
Radioactive waste, land disposal documents, 26:17-30475

CONSTRUCTION
Insulation, 26:20-1551-26:20-1565
–Applicability of regulations, 26:20-1551
–Definitions, 26:20-1552
–Existing buildings, 26:20-1564
–Scope of regulations, 26:20-1551
–Urea formaldehyde foam, 26:20-1553
Public water systems, 26:22-64555-26:22-64644

CONTINENTAL SHELF
Oil and gas wells, 26:14-1743

CONTINUING EDUCATION
Vector control technicians, 26:17-30061

CONTROLLED SUBSTANCES
See generally DRUGS

COPPER
Water contamination
–Consumer confidence reports, 26:22-64481
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

CORROSIVES
See also generally HAZARDOUS SUBSTANCES
Public water system, corrosion protection, 26:22-64604

COSMETOLOGY AND ELECTROLOGY
See also BEAUTICIANS AND BARBERS
Diseases, infectious or communicable, 26:16-984
Personal hygiene, 26:16-983
Sanitation, disinfection and sterilization procedures, 26:16-979-26:16-982

CREEKS
See RIVERS AND STREAMS

CYANIDE
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D
Water contamination
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

D

DAIRY PRODUCTS
Producer licensing under Permit Reform Act, 26:3-300

DALAPON
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

DAMS
See generally RESERVOIRS

DBCP
Water contamination, 26:22-64445.1

DEALERS
Automotive repair dealers
See AUTOMOTIVE REPAIR DEALERS

DEFINITIONS
Automotive Repair Bureau, 26:16-3340.1
Emergency Services Office, hazardous substances emergency response training, 26:19-2510
Firebreaks, forest fire prevention, 26:14-1251
Fluoroscopy, 26:17-30400.40
Hazardous materials, transportation, 26:13-1160.3
Infectious waste treatment facilities, 26:22-65600-26:22-65604
Insulation, 26:20-1552
Laboratories, independent water testing laboratories, 26:22-60402
Motor vehicle smog check program, 26:16-3340.1
Oil and gas
–Environmental protection rules, 26:14-1760
–Public lands, pollution control, 26:2-2134
Public water systems, construction, 26:22-64555
Radiation, 26:17-30100
–Depleted uranium, 26:17-30100
–Radiographic operations other than medical, 26:17-30330, 26:17-30331
Radioactive waste, land disposal requirements, 26:17-30473
Structural pest control board, 26:16-1970.2, 26:16-1970.3
Wastewater treatment and reclamation
See WASTEWATER TREATMENT AND RECLAMATION
Water, public system construction standards, 26:22-64555
Well logging, 26:17-30345.2
X-ray equipment, 26:17-30306

DENTISTS
X-ray equipment, 26:17-30311

DERMATOLOGY
X-ray equipment, supervisor and operator permit, 26:17-30461, 26:17-30465-26:17-30468

DIBROMOCHLOROPROPANE
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

DICHLOROBENZENE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

DICHLORODIFLUOROMETHANE
Water monitoring, notice of results, 26:22-64466

DICHLOROETHANE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

DICHLOROETHYLENE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

DICHLOROMETHANE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

DICHLOROPROPANE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

DICHLOROPROPENE
Water contamination, 26:22-64444
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

DIETHYLHEXYL ADIPATE
Water contamination
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

DIETHYLHEXYL PHTHALATE
Water contamination
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

DINOSEB
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

DIOXIN
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

DIQUAT
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

DISASTERS
See generally EMERGENCY SERVICES OFFICE

DISCLOSURE OF INFORMATION
Radioactive waste, land disposal documents, 26:17-30475

DISEASES
Beauticians and barbers, prevention of infectious or communicable diseases, 26:16-984
Coliform contamination of public water system
See COLIFORM
Infectious wastes
See INFECTIOUS WASTE TREATMENT FACILITIES

DOCTORS
See PHYSICIANS

DOGS
Buses or motor carriers transporting, 26:13-1216

DOMESTICATED ANIMALS
See PETS

DOMESTIC WATER QUALITY AND MONITORING
See WATER POLLUTION AND CONTROL

DRINKING WATER
See WATER, subheading: Public water system

DRUGS
Animal drugs, license processing time, 26:3-300
Radioactive drugs, pharmacists' responsibilities
–Eligibility to handle, 26:16-1708.4
–Furnishing, 26:16-1708.5

E

E. COLI
Water systems
–Analysis and reporting, 26:22-64423.1
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-A

EARTHQUAKES
See generally EMERGENCY SERVICES OFFICE

ELECTRIC COMPANIES
Transmission lines, firebreaks, 26:14-1250-26:14-1258

ELECTRIC LOGGING
See WELL LOGGING

ELECTROLOGY
See COSMETOLOGY AND ELECTROLOGY

EMBALMERS AND EMBALMING
Fluids containing heavy metals or metallic substances prohibited, 26:16-1222

EMERGENCIES
See EMERGENCY SERVICES OFFICE

EMERGENCY PREPAREDNESS
Hazardous substances emergency response training
See EMERGENCY SERVICES OFFICE

EMERGENCY RESCUE PERSONNEL
Notification and coordination of, 26:19-2724

EMERGENCY SERVICES OFFICE
Hazardous material release
–Business plans
––Emergency response plans and procedures, 26:19-2731
––Inventory of hazardous materials, 26:19-2729
––Training, 26:19-2732
–Reporting requirements
––Follow-up notice report form, 26:19-2705
––Immediate reporting of release or threatened release, 26:19-2703
–Response plans
––Communications coordination, 26:19-2724
––Proposed, 26:19-2720
––Public safety and information, 26:19-2726
–Warnings to agricultural handlers, 26:19-2733, 26:19-2734
Hazardous substances emergency response training
–Course manager, duties and responsibilities, 26:19-2540
–Curriculum requirements, 26:19-2520, 26:19-2540
–Definitions, 26:19-2510
–Forms, 26:19-2550
––Site safety and control plan, 26:19-2540
–Instructor certification requirements, 26:19-2530, 26:19-2540

EMERGENCY VEHICLES
Hazardous materials release, coordination with Office of Emergency Services, 26:19-2724

EMPLOYEES AND EMPLOYERS
Emergency rescue personnel, notification and coordination, 26:19-2724
Radiation
–Sources, personnel monitoring requirements, 26:17-30348.3
–Training requirements, 26:17-30348.1
–Workers, notice to, 26:17-30255
Radiographic operations other than medical, personnel training requirements, 26:17-30333
Wastewater reclamation personnel, 26:22-60325
X-ray equipment operators, safety rules, 26:17-30305

ENDANGERED SPECIES
Chaparral management program, protection under, 26:14-1569.1
Forest Improvement Program, protection under, 26:14-1545

ENDOTHALL
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

ENDRIN
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

ENERGY CONSERVATION
Water heater insulation kits, 26:20-1564

ENERGY SOURCES
See OIL AND GAS

ENVIRONMENTAL PROTECTION
Oil and gas operations
See OIL AND GAS
Water
See WATER POLLUTION AND CONTROL
Wetlands
See WETLANDS
Wildlife
–Chaparral management program, 26:14-1569.1
–Forest improvement program, 26:14-1545.2

EPICHLOROHYDRIN
Water contamination
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-H

EQUALIZATION BOARD, STATE
Oil spill prevention and administration fees, 26:18-2231, 26:18-2232

ETHYL BENZENE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

ETHYLENE DIBROMIDE
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

ETHYL TERT BUTYL ETHER
Water monitoring requirements
–Notice of results, 26:22-64466

EXEMPTIONS
Anhydrous ammonia, transportation requirements, 26:13-1160.1
Common carriers, registration of radiation sources, 26:17-30126, 26:17-30180
Firebreaks, minimum clearance, 26:14-1255, 26:14-1257
Hazardous materials, transportation, 26:13-1160.1
–Special federal exemptions, 26:13-1160.4

EXHAUST SYSTEMS
See MOTOR VEHICLES

EXPLOSIVES
Labeling and packaging, 26:13-1161.2

F

FACTORIES
Hazardous substances
See HAZARDOUS SUBSTANCES

FARMERS MARKETS
Producer license processing times under Permit Reform Act, 26:3-300

FARM LABOR VEHICLES
Tools, transporting, 26:13-1216

FARMS AND FARMING
See AGRICULTURE

FEED, COMMERCIAL
Licensing, processing times under Permit Reform Act, 26:3-300

FEES
Fluoroscopy permits, 26:17-30408
Hazardous liquid pipeline safety, 26:19-2040
Hazardous materials, transportation licenses, 26:13-1160.4
Infectious waste treatment facilities, operating permits, 26:22-65628
Mammograph technologist certification, 26:17-30455.1
Motor vehicle smog check program
See MOTOR VEHICLES

FEES–*continued*
Oil spill prevention and administration fees, 26:18-2231, 26:18-2232
Radiation, licensing, 26:17-30230-26:17-30231
Radioactive waste disposal, land disposal licensing, 26:17-30485
Radiologic technologist certification, 26:17-30408
Water reclamation, certification of treatment methods, 26:22-60475

FENCES
Oilfields, 26:14-1778

FERTILIZERS
Licensing, processing times, 26:3-300

FIELD CROPS
See AGRICULTURE

FILTRATION OF WATER, 26:22-60351

FIRE CLEARANCES
See generally FIRE PREVENTION

FIRE DEPARTMENTS
See also FIRE PREVENTION
Hazardous material release, coordination with Office of Emergency Services, 26:19-2724

FIRE EXTINGUISHERS
Hazardous materials, transportation vehicle requirements, 26:13-1162.1

FIRE HYDRANTS
Shutoff valves, 26:22-64640

FIRE MARSHAL, STATE
Hazardous liquid pipeline safety, certification of miles by State Fire Marshal, 26:19-2041

FIRE PREVENTION
Cooperative fire protection contracts, 26:14-1260
Electric poles, towers, and conductors, firebreak clearances, 26:14-1250-26:14-1258
Firebreaks, 26:14-1255-26:14-1258
–Minimum clearances, 26:14-1255-26:14-1257
–Tree lines, 26:14-1258
Forest improvement program, 26:14-1545.4
Hazardous liquid pipeline safety, Certification by State Fire Marshal, 26:19-2041

FISH AND GAME
Domesticated animals
See PETS
Threatened species
See ENDANGERED SPECIES
Wild animals
See WILD ANIMALS

FLUORIDE
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

FLUOROSCOPY
See RADIOLOGIC TECHNOLOGY

FOOD
Fruits and vegetables, producer license processing times under Permit Reform Act, 26:3-300

FOOD AND AGRICULTURE DEPARTMENT
Permits and licenses, processing times, 26:3-300

FOOD PLANTS
Poisonous insecticides and rodenticides, 26:17-12255

FOOD SERVICE ESTABLISHMENTS
Fire safety
See generally FIRE PREVENTION

FORESTRY
Chaparral management program
–Chemical use, 26:14-1569.5
–Natural resources, 26:14-1569
–Smoke management, 26:14-1569.6
–Streams and lakes, 26:14-1569.2
–Wetlands, 26:14-1569.3
–Wildlife, 26:14-1569.1
Definitions, firebreak rules, 26:14-1251
Fire protection
–Cooperative fire protection contracts, 26:14-1260

FORESTRY–*continued*
Fire protection–*continued*
–Firebreaks
––Definitions, 26:14-1251
––Minimum clearance, 26:14-1256-26:14-1257
–Tree lines, 26:14-1258
Forest improvement program
–Chemical use, 26:14-1545.5
–Hazard reduction, 26:14-1545.4
–Insect control, 26:14-1545.9
–Special treatment areas, 26:14-1545.8
–Stream and lake protection, 26:14-1545.1
–Wetlands protection, 26:14-1545.2
–Wildlife protection, 26:14-1545
State forests
–Camping, water pollution prohibited, 26:14-1422

FORMS
Emergency response checklist for area plan, 26:19-2720
Hazardous materials emergency release follow-up notice report, 26:19-2705
Hazardous substances emergency response training
–Administrative forms, 26:19-2550
–Site safety and control plan, 26:19-2540
Insulation, urea formaldehyde foam insulation safety notice, 26:20-1553
Motor vehicles, smog control station application, 26:16-3340.10
Pest control, occupants fumigation notice and pesticide disclosure, 26:16-1970, 26:16-1970.4
Secondhand home furnishing, sanitization label, 26:4-1266
Smog check program, training institution certification, instructor certification, and technician licensing forms, 26:16-3340.41

FREIGHT
See generally MOTOR CARRIERS

FRUITS AND VEGETABLES
Direct marketing, producer license processing times under Permit Reform Act, 26:3-300

FUELS
Gasoline
See GASOLINE
Production
See generally OIL AND GAS

FUMIGATION
See PEST CONTROLLERS

G

GARBAGE
See also WASTE DISPOSAL
Garbage-fed swine, permit processing time, 26:3-300

GAS
See GASOLINE; OIL AND GAS

GASOLINE
California reformulated gasoline blendstock for oxygen blending (CARBOB), 26:13-2266.5
Downstream blending, 26:13-2266.5
Multiple notification requirements, 26:13-2263.7

GLYPHOSATE
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

GROUND WATER
See also generally WATER
Oil and gas operations, wastewater transport in unlined channels prohibited, 26:14-1771
Recharge, reclaimed water, 26:22-60320

H

HAIRDRESSERS
See BEAUTICIANS AND BARBERS; COSMETOLOGY AND ELECTROLOGY

HALAOACETIC ACIDS
Water disinfection byproducts, notice of potential adverse health effects, 26:22-64465 Appx. 64465-G

HAZARDOUS LIQUID PIPELINE SAFETY
See also HAZARDOUS SUBSTANCES
Certification of miles by State Fire Marshal, 26:19-2041
Fees, 26:19-2040
Testing persons and firms, approval, 26:19-2060
Violations, 26:19-2070 to 26:19-2075
–Final order, 26:19-2073
–Hearing, 26:19-2072
–Notice, 26:19-2070, 26:19-2071
–Penalty, payment, 26:19-2075
–Rehearing petitions, 26:19-2074

HAZARDOUS MATERIALS, TRANSPORTATION, 26:13-1150-26:13-1194
Accidents
–Driver's duties, 26:13-1167
–Reporting, 26:13-1166
Alternate methods of compliance, 26:13-1160.4
Applicability, 26:13-1160
Cargo tanks, use restrictions, 26:13-1163
Carriers
–Definitions, 26:13-1160.3
–Placards, providing, 26:13-1162
Certification by shippers, 26:13-1161.1
Classification, 26:13-1160.5
Definitions, 26:13-1160.3
Delivery of shipment, 26:13-1167
Detours, 26:13-1150.4
Emergency warning devices for vehicles, 26:13-1162.1
Exemptions, 26:13-1160.1
–Special federal exemptions, 26:13-1160.4
Federal regulations, applicability, 26:13-1166, 26:13-1167, 26:13-1202.1
Fees, licenses, 26:13-1160.4
Fire extinguishers for vehicles, 26:13-1162.1
Forbidden materials, 26:13-1163.1
Freight containers, placards, 26:13-1162
Inspections
–Stops, 26:13-1150.1-26:13-1150.3
–Vehicles, 26:13-1160.4
Labeling and packaging, 26:13-1161.2, 26:13-1161.3, 26:13-1162-26:13-1164
Licenses, 26:13-1160.4
Maps, 26:13-1151-26:13-1159
Parking places, 26:13-1152.8
Permits, special permits and exemptions issued by federal government, 26:13-1160.4
Preparation of shipments, 26:13-1163
Private carriers, defined, 26:13-1160.3
Prohibitions, 26:13-1163.1, 26:13-1216
–Unauthorized transportation, 26:13-1160.4
Reporting requirements, accidents and incidents, 26:13-1166
Routes, 26:13-1150-26:13-1159
Safe parking places, 26:13-1150.1, 26:13-1152.8
Safe stopping places, 26:13-1150.1, 26:13-1150.2, 26:13-1150.5
Safety equipment for vehicles, 26:13-1162.1
Shippers
–Applicability of sections, 26:13-1160.1
–Certification, 26:13-1161.1
–Definitions, 26:13-1160.3
–Placards, providing, 26:13-1162
Shipping papers
–Compliance with federal regulations, 26:13-1161
–Exemption, 26:13-1160.1
Spills, reporting, 26:13-1166
Toll bridges, prohibitions, 26:21-1401.2
Underground storage tanks, exemption, 26:13-1160.1
Unsafe transportation prohibited, 26:13-1160.4
U.S. Department of Transportation regulations, applicability, 26:13-1160.2
Wastes
See HAZARDOUS WASTES
Waste transporters, applicability of federal regulations, 26:13-1202.1

HAZARDOUS SUBSTANCES
Emergency response training
See EMERGENCY SERVICES OFFICE, subheading: Hazardous substances emergency response training
Pesticides
See generally PESTICIDES
Spills, reporting requirements, 26:13-1166
Transportation
See HAZARDOUS MATERIALS, TRANSPORTATION

HAZARDOUS WASTES
Emergency response training
See EMERGENCY SERVICES OFFICE, subheading: Hazardous substances emergency response training
Ground water
See GROUND WATER
Infectious wastes
See INFECTIOUS WASTE TREATMENT FACILITIES
Radioactive waste
See RADIOACTIVE WASTE DISPOSAL
Reporting requirements, accidents, 26:13-1166
Transporters
See also HAZARDOUS MATERIALS, TRANSPORTATION
–Federal regulations, applicability, 26:13-1202.1

HEALTH CARE FACILITIES
Hazardous materials release, coordination with Office of Emergency Services, 26:19-2724
Infectious wastes
See HAZARDOUS WASTES; INFECTIOUS WASTE TREATMENT FACILITIES
Radioactive materials, use, 26:17-30321-26:17-30322

HEALTH SERVICES DEPARTMENT
Hazardous material release, coordination with Office of Emergency Services, 26:19-2724
Hazardous wastes
See HAZARDOUS WASTES
Radiation, inspections, 26:17-30254
Water systems
See generally WATER

HEAVY METALS
Embalmers, use by prohibited, 26:16-1222

HEPTACHLOR
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

HEPTACHLOR EPOXIDE
Water contamination, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

HERBICIDES
See generally PESTICIDES

HEXACHLOROBENZENE
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

HEXACHLOROCYCLOPENTADIENE
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

HEXAVALENT CHROMIUM
Water monitoring, notice of results, 26:22-64466

HIGHWAY PATROL DEPARTMENT
Hazardous material release, coordination with Office of Emergency Services, 26:19-2724
Motor carriers, scope of rules, 26:13-1200

HIGHWAYS AND ROADS
Hazardous materials, transportation
See HAZARDOUS MATERIALS, TRANSPORTATION

HOGS
Garbage-fed swine, permit processing time, 26:3-300

HOME FURNISHING FILLINGS
Sanitization, 26:4-1251-26:4-1266

HORSES
Horsemeat importers license, processing time, 26:3-300

HOSPITALS
See also HEALTH CARE FACILITIES
Hazardous material release, coordination with Office of Emergency Services, 26:19-2724
Radioactive machines and materials, 26:17-30321-26:17-30322

HYDRANTS
Shutoff valves, 26:22-64640

HYDROLOGY
See LAKES; RIVERS AND STREAMS; SURFACE WATER; WETLANDS

I

INFECTIOUS WASTES
See also HAZARDOUS WASTES
Solid waste management transfer/processing stations, 26:22-65602

INFECTIOUS WASTE TREATMENT FACILITIES, 26:22-65610-26:22-65614
Definitions, 26:22-65600-26:22-65604
–Offsite facility, 26:22-65601
––Transfer station, 26:22-65602
–Onsite facility, 26:22-65600
–Permit applicant, 26:22-65603
Monitoring and sampling requirements, 26:22-65623
Permits, 26:22-65619-26:22-65625
–Application, 26:22-65610
––Completeness, 26:22-65612
––Contents, 26:22-65625
––Fees, 26:22-65628
––Notification, 26:22-65613
––Procedures, 26:22-65611
––Processing time, 26:22-65614
––Signatories, 26:22-65622
––Submission, 26:22-65621
–Duration of, 26:22-65624
–Scope, 26:22-65620
Reporting requirements, 26:22-65623
Standards, 26:22-65600-26:22-65628

INJECTION WELLS
Filing, notification, operating and testing requirements, 26:14-1724.10
Hazardous wastes
See HAZARDOUS WASTES
Proposed projects
–Approval required, 26:14-1724.6
–Data required, 26:14-1724.7
–Gas storage, 26:14-1724.9
–Steam injection, 26:14-1724.8

INORGANIC CHEMICALS
Water pollution and control, notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

INSECTICIDES
See generally PESTICIDES

INSECTS
Food plants, use of poisonous insecticides, 26:17-12255
Forest improvement program, 26:14-1545.9
Live insect transportation, permits, 26:3-300
Vector control technicians, certification requirements
–Continuing education requirements, 26:17-30061
–Denial, 26:17-30058
–Examinations, 26:17-30055-26:17-30056.4
–Processing, 26:17-30056.5
–Revocation or suspension, 26:17-30058

INSPECTIONS
Hazardous materials
See HAZARDOUS MATERIALS, TRANSPORTATION
Motor vehicle exhaust emission inspection standards, tables, 26:16-3340.42
Poultry
See POULTRY AND POULTRY PRODUCTS
Radiation, 26:17-30254
–Sources, maintenance and opening of source, 26:17-30346.7

INSURANCE
Marine insurance, 26:10-2321
Nuclear liability insurance, radioactive waste disposal sites, 26:17-30491

IRON
Water contamination
–Consumer confidence reports, 26:22-64481

L

LABELING AND PACKAGING
Explosives, 26:13-1161.2
Hazardous materials, transportation, 26:13-1161.2
See also HAZARDOUS MATERIALS, TRANSPORTATION
Home furnishings, sanitization label, 26:4-1266
Radiation
–Caution signs and labels, removal from empty containers, 26:17-30278.1
–Well logging use, 26:17-30346.1
Secondhand merchandise, home furnishing fillings, sanitization label, 26:4-1266
Transportation of hazardous materials
See HAZARDOUS MATERIALS, TRANSPORTATION
Water reclamation treatment devices, 26:22-60465

LABORATORIES
Wastewater treatment and reclamation
–Independent laboratory, defined, 26:22-60402
Water testing laboratories, 26:22-64415

LAKES
Chaparral management program, 26:14-1569.2
Forest improvement program, 26:14-1545.1
State forests, pollution prohibited, 26:14-1422

LANDFILLS
Hazardous wastes
See HAZARDOUS WASTES
Radioactive wastes
See RADIOACTIVE WASTE DISPOSAL

LAW ENFORCEMENT AGENCIES
Hazardous material release, coordination with Office of Emergency Services, 26:19-2724

LEAD
Water contamination
–Consumer confidence reports, 26:22-64481

LICENSING
See also CERTIFICATES AND CERTIFICATION

LICENSING–*continued*
Automotive repair bureau, 26:16-3303.2
Emissions control systems
See MOTOR VEHICLES, subheading: Smog check program
Hazardous materials, transportation, 26:13-1160.4
Motor vehicles
–Brakes, licensing of adjusters and stations, 26:16-3303.2
–Smog check program
See MOTOR VEHICLES
Permit Reform Act, license processing times under, 26:3-300
Pest controllers, fumigation and pesticide use, 26:16-1970.5
Radiation equipment and processes
See RADIATION
Radioactive waste disposal, 26:17-30475-26:17-30493
See also RADIOACTIVE WASTE DISPOSAL, subheading: Land disposal
Radioactive waste disposal, land disposal licensing, 26:17-30485
Smog check program, motor vehicles
See MOTOR VEHICLES
Well logging, radiation use, 26:17-30345.3

LIGHTS, AUTOMOBILE
Licensing of lamp adjusters and stations, 26:16-3303.2

LINDANE
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

LIQUEFIED PETROLEUM GAS
Transportation, applicability of hazardous materials regulations, 26:13-1160.1

LIQUID HAZARDOUS WASTE
See generally HAZARDOUS WASTES
Pipelines
See HAZARDOUS LIQUID PIPELINE SAFETY

LIQUIDS
Hazardous
See also HAZARDOUS LIQUID PIPELINE SAFETY
–Transportation of combustible liquids, exemptions, 26:13-1160.1
Liquefied petroleum gas (LPG) transportation, applicability of hazardous materials regulations, 26:13-1160.1

LIVESTOCK
Drugs, license processing times, 26:3-300
Garbage-fed swine, permit processing time, 26:3-300

LOGGING
See FORESTRY
Well logging
See WELL LOGGING

LPG
Transportation, applicability of hazardous materials regulations, 26:13-1160.1

M

MAINS, WATER
See WATER MAINS

MAMMOGRAPHY
Mammographic radiologic technology certificate, 26:17-30455.1
–Continuing education requirements, 26:17-30403

MANGANESE
Water contamination
–Consumer confidence reports, 26:22-64481 Appx. B

MANICURISTS
See generally COSMETOLOGY AND ELECTROLOGY

MARINE INSURANCE
Coverage, 26:10-2321

MARKETS AND MARKETING
Farmer markets, producer license processing times under Permit Reform Act, 26:3-300

MARSHES
Forest improvement program, 26:14-1545.2

MEAT AND MEAT PROCESSING
License, permit, and registration processing times, 26:3-300

MECHANICS
See generally AUTOMOTIVE REPAIR DEALERS

MEDIA
Water pollution emergency, notification of public, 26:22-64465-26:22-64466

MEDICAL WASTE TREATMENT FACILITIES
See INFECTIOUS WASTE TREATMENT FACILITIES

MEDICATIONS
See generally DRUGS

MERCURY
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

METHOXYCHLOR
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

METHYL TERT BUTYL ETHER (MTBE)
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

MICE
See RODENTS

MICROBIOLOGICAL CONTAMINANTS
Water contamination
–Consumer confidence reports, 26:22-64481
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-A

MILK AND MILK PRODUCTS
Producer licensing under Permit Reform Act, 26:3-300
Tankers, permit processing times, 26:3-300

MOLINATE
Water contamination, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

MONITORING
Domestic water quality and monitoring
See WATER POLLUTION AND CONTROL
Hazardous wastes
See HAZARDOUS WASTES
Infectious waste treatment facilities, 26:22-65623
Injection wells
See INJECTION WELLS
Radiation sources, personnel monitoring requirements, 26:17-30348.3
Water pollution
See WATER POLLUTION AND CONTROL

MONOCHLOROBENZENE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

MOSQUITOES
See INSECTS

MOTHS
See INSECTS

MOTOR CARRIERS
See also COMMON CARRIERS
Animals, transporting, 26:13-1216
Federal regulations, applicability, 26:13-1202.1
Hazardous materials, transporting
See HAZARDOUS MATERIALS, TRANSPORTATION
Scope of rules, 26:13-1200
Toll bridges, prohibited vehicles and loads, 26:21-1401.2
Wheelchairs, transporting, 26:13-1216

MOTOR VEHICLE POLLUTION
Smog
See MOTOR VEHICLES, subheading: Smog check program

MOTOR VEHICLES
Brakes, licensing of adjusters and stations, 26:16-3303.2
Carriers
See MOTOR CARRIERS
Definitions, smog check program, 26:16-3340.1
Exhaust emission inspection standards, tables, 26:16-3340.42
See also Smog check program, this heading
Farm labor vehicles transporting tools, 26:13-1216
Fees, smog check program
See Smog check program, this heading
Gasoline
See GASOLINE
Licensing
–Smog check program
See Smog check program, this heading
Lights, licensing of lamp adjusters and stations, 26:16-3303.2
Pollution
See Smog check program, this heading
Repair
See AUTOMOTIVE REPAIR DEALERS
Smog check program
–Change of ownership and initial registration of vehicles, 26:16-3340.6
–Cost limitations, 26:16-3340.45
–Definitions, 26:16-3340.1
–Exempted vehicles, 26:16-3340.5
––Oxides of nitrogen (NOx) device requirements, 26:16-3340.37
–Exhaust emission inspection standards, tables, 26:16-3340.42
–Fees
––Fleet facility certificates, 26:16-3340.50.4
––Licensing applications, 26:16-3303.2, 26:16-3340.10
–Fleet facilities, 26:16-3340.50
––Certificates, fees, 26:16-3340.50.4
––Licensing, 26:16-3340.50.1, 26:16-3340.50.5
––Records and reporting requirements, 26:16-3340.50.3
–Forms, licensing and certification applications, 26:16-3340.41
–Licensing
––Applications, fees and form, 26:16-3303.2, 26:16-3340.10
––Fleet facilities, 26:16-3340.50.1, 26:16-3340.50.5
––Stations, 26:16-3340.10
––Suspension or revocation of licenses, 26:16-3340.24
––Technicians, 26:16-3340.30
–Stations
––Certificates of compliance and noncompliance, 26:16-3340.35, 26:16-3340.36
––Electronic transmission of test results, 26:16-3340.17
––Licensing, 26:16-3340.10, 26:16-3340.15
––Nitrogen oxides (NOx) devices, installation of, 26:16-3340.37
––Reports, 26:16-3340.41
––Signs, 26:16-3340.22
––Tampering with emissions control systems, 26:16-3340.41.5

MOTOR VEHICLES–*continued*
Smog check program–*continued*
–Stations–*continued*
––Termination of licensed functions, 26:16-3340.23
––Test-and-repair station requirements, 26:16-3340.16.5
––Tests, 26:16-3340.41
–Technicians
––Licensing, 26:16-3340.30
–––Application form, 26:16-3340.41
––School and instructor certification, application form, 26:16-3340.41
–Test analyzer systems
––Electronic transmission requirements, 26:16-3340.17
––Emission diagnosis and repair procedures, 26:16-3340.41
––Equipment maintenance and calibration, 26:16-3340.17
––Exhaust emissions inspection standards and procedures, 26:16-3340.42
––Gases and blenders of gases, certification of, 26:16-3340.18
––Tables for evaluating exhaust emissions, 26:16-3340.42
–Test only stations
––Equipment required, 26:16-3340.16
––General requirements, 26:16-3340.16
––Referrals, 26:16-3340.41
Tires, metal studded tires prohibited on toll bridges, 26:21-1401.2

MUNICIPALITIES
Hazardous substance release, coordination with Office of Emergency Services, 26:19-2724

N

NARCOTICS
See generally DRUGS; PHARMACISTS AND PHARMACIES

NATURAL GAS
See OIL AND GAS

NATURAL RESOURCES
Chaparral management program, 26:14-1569-26:14-1569.6
Forest improvement program, 26:14-1545-26:14-1545.9

NICKEL
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

NITRATE
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

NITRIC ACID, FUMING
Transportation
See HAZARDOUS MATERIALS, TRANSPORTATION

NITRITE
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

NITROGEN
Water contamination, 26:22-64431

NOTICE
Emergency services office, hazardous material release, 26:19-2705
Hazardous liquid pipeline safety, violations, 26:19-2070, 26:19-2071

NOTICE–*continued*
Hazardous wastes
See HAZARDOUS WASTES
Insulation, urea formaldehyde foam insulation safety notice, 26:20-1553
Radiation
See RADIATION
Water pollution
See also WATER POLLUTION AND CONTROL
–Bacteriological quality, 26:22-64421
Water systems, construction, notice to health services department, 26:22-64417

NOXIOUS WEEDS
Permit, possession and transportation, 26:3-300

NUCLEAR MATERIALS
Insurance, nuclear liability insurance for radioactive waste disposal sites, 26:17-30491
Radiation, special nuclear material, 26:17-30100

NUCLEAR WEAPONS
Toll bridges, prohibited vehicles, 26:21-1401.2

NURSERIES, PLANT
License processing times under Permit Reform Act, 26:3-300

O

OES
See EMERGENCY SERVICES OFFICE

OIL AND GAS
Definitions
–Environmental protection rules, 26:14-1760
–Public lands, pollution control, 26:2-2134
Environmental protection
–Channels, transportation of waste water prohibited, 26:14-1771
–Definitions, 26:14-1760
–Facilities and equipment maintenance, 26:14-1774
–Hazard enclosure requirements, 26:14-1778
–Oilfield sumps, 26:14-1770
–Public lands, 26:2-2133-26:2-2142
––Administration, 26:2-2135
––Applicability of provisions, 26:2-2133
––Corrective actions, 26:2-2137
––Critical operations and curtailment plans, 26:2-2141
––Definitions, 26:2-2134
––Disposal of cuttings and muds, 26:2-2138
––Equipment, 26:2-2140
––Prohibitions, 26:2-2136
––Reporting requirements, 26:2-2142
––Spills, 26:2-2139
––Suspensions, 26:2-2137
–Restoration of well site, 26:14-1776
–Special requirements, 26:14-1779
–Sumps, 26:14-1770
–Tank settings, 26:14-1773
–Waste and refuse disposal, 26:14-1775
Fees, spill prevention and administration fees, 26:18-2231, 26:18-2232
Marine terminal operators, spill prevention and administration fees, 26:18-2231, 26:18-2232
Offshore wells, 26:14-1743
Oil spills
See OIL SPILL PREVENTION AND RESPONSE
Onshore injection wells
–Approval required, 26:14-1724.6
–Data requirements, 26:14-1724.7
–Filing, notification, operating and testing requirements, 26:14-1724.10
–Gas storage, 26:14-1724.9
–Steam injection, 26:14-1724.8
Pipeline operators, spill prevention and administration fees, 26:18-2231, 26:18-2232
Pollution control
See Environmental protection, this heading
Spill prevention
See OIL SPILL PREVENTION AND RESPONSE

OIL AND GAS–*continued*
Sumps, 26:14-1770
Taxation, spill prevention and administration fees, 26:18-2231, 26:18-2232
Wells
See Offshore wells, this heading; Onshore injection wells, this heading

OIL SPILL PREVENTION AND RESPONSE
See also OIL AND GAS
Fees, from 9-24-90 to 12-12-90, 26:18-2231, 26:18-2232
Public lands, 26:2-2139

OPEN BURNING
Smoke management, chaparral management program, 26:14-1569.6

ORDRAM
Water contamination
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

OSCA (OIL SPILL CLEANUP AGENTS)
See OIL SPILL PREVENTION AND RESPONSE

OXAMYL
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

P

PACKAGING
See LABELING AND PACKAGING

PANIC SAFETY STANDARDS
See generally FIRE PREVENTION

PARASITES
Surface water treatment, notice of potential adverse health effects, 26:22-64465 Appx. 64465-B

PARKING
Hazardous materials, safe parking places, 26:13-1150.1, 26:13-1152.8

PARKS AND RECREATION
Boating, waste disposal, 26:14-4661
Pesticide use restrictions, 26:14-4330
Sanitation, 26:14-4324
State forests, polluting of waters prohibited, 26:14-1422

PARTICLE ACCELERATORS
Well logging use, safety requirements, 26:17-30353

PCBs
Water contamination
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

PENTACHLOROPHENOL
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

PERCHLORATE
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D
Water monitoring, notice of results, 26:22-64466

PERFORMANCE BONDS
See BONDS, SECURITY

PERMITS
Dermatology, X-ray equipment supervisor and operator, 26:17-30461, 26:17-30465-26:17-30468
Fluoroscopy permits, 26:17-30408
Hazardous materials, special federal transportation permits and exemptions, 26:13-1160.4
Hazardous wastes
See HAZARDOUS WASTES
Infectious waste
See INFECTIOUS WASTE TREATMENT FACILITIES
Processing times, 26:3-300
Radiologic technology
See RADIOLOGIC TECHNOLOGY
X-ray technicians, 26:17-30442-26:17-30447

PERSONNEL
See EMPLOYEES AND EMPLOYERS

PEST CONTROLLERS
See also STRUCTURAL PEST CONTROL BOARD
Disclosure requirements, 26:16-1970.4
Fumigation and pesticide use
–Disclosure of pesticides to homeowners required, 26:16-1970.4
–Enclosed space, defined, 26:16-1970.1
–Handling, use, and storage of pesticides, 26:16-1983
–Recordkeeping requirements, 26:16-1970
–Safety kit and other equipment required, 26:16-1971
–Securing against entry, 26:16-1970.3
–Ventilation, presence of licensee required, 26:16-1970.5
Occupants fumigation notice and pesticide disclosure, 26:16-1970
Pesticides
See PESTICIDES
Recordkeeping requirements, fumigation, 26:16-1970

PESTICIDES
See also PEST CONTROLLERS
Food plants, use of insecticides and rodenticides, 26:17-12255
Fumigation
See PEST CONTROLLERS
Groundwater protection
See generally GROUND WATER
Parks and recreation areas, 26:14-4330
Pest controllers
See PEST CONTROLLERS
Water contamination, consumer confidence reports, 26:22-64481

PET FOOD
See PETS

PETROLEUM
See GASOLINE; OIL AND GAS

PETS
Dogs, transported on buses or motor carriers, 26:13-1216
Food processor or importer license, processing time, 26:3-300

PHARMACISTS AND PHARMACIES
See also DRUGS
Radioactive drugs
–Eligibility to handle, 26:16-1708.4
–Furnishing, 26:16-1708.5

PHYSICIANS
Hazardous materials release, coordination with Office of Emergency Services, 26:19-2724
Radioactive materials, transportation, 26:17-30373

PICLORAM
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

PIGS
Garbage-fed swine, permit processing time, 26:3-300

PIPELINES
California Hazardous Liquid Pipeline Safety Act, 26:19-2070-26:19-2075
California Pipeline Safety Act, 26:19-2040
Hazardous liquid pipeline safety
See HAZARDOUS LIQUID PIPELINE SAFETY
Oil and gas pipeline operators, spill prevention and administration fees, 26:18-2231, 26:18-2232

PLANES
See AIR TRANSPORTATION

PLANT NURSERIES
License processing times under Permit Reform Act, 26:3-300

PLANTS
See also VEGETATION
Permits, possession or transportation of pests, processing time, 26:3-300

PLANTS, INDUSTRIAL
Hazardous substances
See HAZARDOUS SUBSTANCES

POISON CONTROL CENTERS
Hazardous material release, coordination with Office of Emergency Services, 26:19-2724

POISONS
Hazardous wastes
See generally HAZARDOUS WASTES
Pesticides
See PESTICIDES

POLICE
Hazardous material release, coordination with Office of Emergency Services, 26:19-2724

POLLUTION
Motor vehicles
See MOTOR VEHICLES, subheading: Smog check program
Public lands, pollution control, 26:2-2134
State forests, pollution prohibited, 26:14-1422
Water pollution
See WATER POLLUTION AND CONTROL

POLYCHLORINATED BIPHENYLS
Water contamination, 26:22-64444, 26:22-64445.1

POULTRY AND POULTRY PRODUCTS
Inspectors, license processing time, 26:3-300
Processing plants, poisonous insecticides and rodenticides, 26:17-12255

PRESCRIPTIONS
See generally PHARMACISTS AND PHARMACIES

PRESERVES, NATURAL
See PARKS AND RECREATION

PSYCHIATRIC HOSPITALS
Radioactive materials, misadministration, 26:17-30322

PUBLIC SAFETY
Emergency services office
See EMERGENCY SERVICES OFFICE
Fire safety
See FIRE PREVENTION
Hazardous materials release
See HAZARDOUS LIQUID PIPELINE SAFETY

PUBLIC WATER
See WATER, subheading: Public water system

PUMPS
Oil and gas operations, environmental protection, 26:14-1770

PUSHCARTS
Toll bridges, prohibited vehicles, 26:21-1401.2

R

RADIATION
See also RADIOLOGIC TECHNOLOGY

RADIATION–*continued*
Air ionization devices, general licenses, 26:17-30192
Bankruptcy of licensees, notification, 26:17-30257
Caution signs and labels, removal from empty containers, 26:17-30278.1
Concentrations exempt from regulations and licensing, 26:17-30180
Contamination resulting in vacation of installation, 26:17-30256
Definitions, 26:17-30100
–Radiographic operations other than medical, 26:17-30330, 26:17-30331
Depleted uranium, defined, 26:17-30100
Disclosure, license applications, 26:17-30194
Exemptions, 26:17-30104
–Licensing requirements, 26:17-30125, 26:17-30126, 26:17-30135, 26:17-30180
Incidents, notice requirements, 26:17-30350.3
Licensing
–Applications, 26:17-30194
–Bankruptcy notification, 26:17-30257
–Defined, 26:17-30100
–Exemptions, 26:17-30180
––Quantities exempt, Schedule A, 26:17-30235
––Registration, 26:17-30125, 26:17-30126
–Federal licensees, reciprocal recognition, 26:17-30225
–Fees, 26:17-30230-26:17-30231
–Human use, 26:17-30195
–Inspections, 26:17-30254
–Ion generation devices, 26:17-30192
Machines
See Sources, this heading
Materials
–Licenses, 26:17-30190-26:17-30205
–Medical use, 26:17-30321-26:17-30322
–Transfer, 26:17-30210
–Transportation, 26:17-30373
Misadministration, defined, 26:17-30100
Notice, 26:17-30254-26:17-30257
–Bankruptcy of licensees, 26:17-30257
–Notice of violation, by workers, 26:17-30254
–Personnel, 26:17-30255
–Vacation of installation due to contamination, 26:17-30256
Personnel, 26:17-30255
Protection, 26:17-30252, 26:17-30253
Radioactive markers, 26:17-30346.9
Radiographic operations other than medical, 26:17-30330-26:17-30337
–Contraband-detection fluoroscopy, 26:17-30337
–Definitions, 26:17-30330, 26:17-30331
–Exposure devices, performance requirements, 26:17-30332
–Personnel training requirements, 26:17-30333
–Precautionary procedures, 26:17-30334
–Radiation machines, use requirements, 26:17-30336
–Radiographers and assistants, training requirements, 26:17-30333
–Storage containers, 26:17-30332
Radiologic technology
See RADIOLOGIC TECHNOLOGY
Reciprocity, 26:17-30225
Recordkeeping requirements, 26:17-30350.1-26:17-30350.2
–Medical use, misadministration, 26:17-30322
–Sources of radiation, 26:17-30131
Reporting requirements
–Medical use, misadministration, 26:17-30322
–Personnel, 26:17-30255
–Sources, changes in registration, 26:17-30115
–Vacation of installation due to contamination, 26:17-30256
Research and development, 26:17-30195
Safety, 26:17-30345.1-26:17-30353
Schedules, 26:17-30235-26:17-30237
Sealed sources
See Sources, this heading
Sources
–Contamination, 26:17-30275, 26:17-30348.5
–Defined, 26:17-30100
–Design and performance criteria, 26:17-30346.6

RADIATION–*continued*
Sources–*continued*
–Inspection, maintenance and opening of source, 26:17-30346.7
–Inventory, 26:17-30346.4
–Leaks, testing, 26:17-30275, 26:17-30346.3
–Loss and abandonment of, 26:17-30350.3
–Material, general licenses, 26:17-30191
–Operating and emergency procedures, 26:17-30348.2
–Personnel monitoring, 26:17-30348.3
–Recordkeeping requirements, 26:17-30346.5
––Receipt, transfer, or disposal of source, 26:17-30131
–Registration, 26:17-30108-26:17-30118
––Exemptions, 26:17-30125, 26:17-30126, 26:17-30180
––Fees, 26:17-30145, 26:17-30146
––Initial registration, 26:17-30110
––Renewal, 26:17-30111
––Reporting requirements, changes, 26:17-30115
––Vendors, obligations, 26:17-30118
–Testing, leaks, 26:17-30275, 26:17-30346.3
Special nuclear material, defined, 26:17-30100
Specific licenses for radioactive materials, 26:17-30345.3-26:17-30353
–Modification, suspension, revocation, or termination, 26:17-30205
Standards, 26:17-30253
Static eliminators, general licenses, 26:17-30192
Surveys, 26:17-30348.4
–Safety, 26:17-30275
Suspension, revocation, or termination, 26:17-30205
Testing
–Radiation survey instruments, 26:17-30346.2
–Safety, 26:17-30275
–Sources, leaks, 26:17-30275, 26:17-30346.3
Transportation of materials, 26:17-30373
See also generally HAZARDOUS MATERIALS, TRANSPORTATION
Uranium sinker bars, safety requirements, 26:17-30346.10
Violations, notice by workers, 26:17-30254
Waste disposal
–Land disposal, 26:17-30470-26:17-30499
See also RADIOACTIVE WASTE DISPOSAL
Well logging use
–Agreements with well owner, 26:17-30346
–Definitions, 26:17-30345.2
–Labeling, 26:17-30346.1
–Licenses, 26:17-30345.3
–Operating and emergency procedures, 26:17-30348.2
–Personnel
––Monitoring, 26:17-30348.3
––Training, 26:17-30348.1
–Radiation detection instruments, ownership and use, 26:17-30346.2
–Radioactive markers, 26:17-30346.9
–Recordkeeping requirements, 26:17-30350.1-26:17-30350.2
–Safety, 26:17-30345.1-26:17-30353
––Licenses, 26:17-30345.3
––Subsurface tracer materials, 26:17-30346.8
–Security measures, 26:17-30346.1, 26:17-30350
–Sources, 26:17-30346.3-26:17-30346.7
See also Sources, this heading
––Contamination, 26:17-30348.5
––Loss and abandonment of, 26:17-30350.3
–Surveys, 26:17-30348.4
–Transportation of materials, 26:17-30346.1
–Uranium sinker bars, 26:17-30346.10
X-ray equipment
See X-RAY EQUIPMENT

RADIOACTIVE CONTAMINATION
Water, 26:22-64443
–Consumer confidence reports, 26:22-64481
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-C

RADIOACTIVE DRUGS
Pharmacies and pharmacists, handling, 26:16-1708.4, 26:16-1708.5

RADIOACTIVE WASTE DISPOSAL
See also generally HAZARDOUS WASTES
Bonds, security, 26:17-30481, 26:17-30483
Confidential information, land disposal documents, 26:17-30475
Fees, land disposal licensing, 26:17-30485
Land disposal, 26:17-30470-26:17-30499
–Confidential information, 26:17-30475
–Definitions, 26:17-30473
–Federal regulations applicable, 26:17-30470, 26:17-30471
–Licensing requirements
––Audit, 26:17-30487
––Fees, 26:17-30485
––Financial assurances, 26:17-30487-26:17-30491
––Performance bond, 26:17-30481, 26:17-30483
––Rates
See Rates, this subheading
––Selection, 26:17-30477-26:17-30481
–Low-level radioactive waste disposal, federal regulations applicable, 26:17-30470
–Proprietary documents, identifying, 26:17-30475
–Rates
––Adjustments, 26:17-30499
––Calculation of rate schedule, 26:17-30495
––Establishment and approval, 26:17-30493
––Review documentation, 26:17-30497
Transfer of radioactive materials, federal regulations applicable, 26:17-30471

RADIOGRAPHIC OPERATIONS, NONMEDICAL
See RADIATION

RADIOLOGIC TECHNOLOGY, 26:17-30400.40-26:17-30499
Continuing education requirements, 26:17-30403
Dermatology supervisor and operator permit, 26:17-30461, 26:17-30465-26:17-30468
Fees, radiologic technologist certification, 26:17-30408
Fluoroscopy
–Definitions, 26:17-30400.40
–Supervisor and operator permit, 26:17-30461, 26:17-30463, 26:17-30466-26:17-30468
Mammographic radiologic technology certification, 26:17-30455.1
–Continuing education requirements, 26:17-30403
Permits, 26:17-30402
Radiography
–Definitions, 26:17-30400.85
–Supervisor and operator permit, 26:17-30461, 26:17-30464, 26:17-30466-26:17-30468
Radiologic technologists
–Certification
––Applications, 26:17-30441
––Deadlines, 26:17-30405
––Display, 26:17-30404
––Fees, 26:17-30408
––Issuance of certificates, 26:17-30440
–Fluoroscopy permits, 26:17-30450-26:17-30452
––Deadlines, 26:17-30405
––Display, 26:17-30404
––Fees, 26:17-30408
–Mammographic radiologic technology certificate, 26:17-30455.1
Radiology supervisor and operator certificate, 26:17-30460, 26:17-30462, 26:17-30466-26:17-30468

RADIUM
Water contamination, 26:22-64443
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-C

RAILROADS
See generally COMMON CARRIERS

RATS
See RODENTS

RECLAMATION
Water
See WASTEWATER TREATMENT AND RECLAMATION

RECORDKEEPING REQUIREMENTS
Automotive repair dealers, toxic waste disposal, 26:16-3356.1
Hazardous wastes
See HAZARDOUS WASTES
Health care facilities, misadministration of radioactive materials, 26:17-30322
Home Furnishings Bureau, sanitization, 26:4-1256
Motor vehicle smog check stations, 26:16-3340.15
Pest controllers, 26:16-1970
Radiation
See RADIATION
Water pollution
See WATER POLLUTION AND CONTROL
Water reclamation, operating records, 26:22-60329
Water supply
See WATER
Well logging use, 26:17-30350.1-26:17-30350.2

RECREATION AREAS
See PARKS AND RECREATION

RECYCLING
Water
See WATER RECYCLING

REFINERIES
See generally OIL AND GAS

REFUSE
See WASTE DISPOSAL

REGISTRATION
See CERTIFICATES AND CERTIFICATION

REPORTING REQUIREMENTS
Accidents involving hazardous wastes and materials, 26:13-1166
Emergency services office, hazardous material release, 26:19-2703, 26:19-2705
Health care facilities, misadministration of radioactive materials, 26:17-30322
Infectious waste treatment facilities, 26:22-65623
Motor vehicle smog check program, 26:16-3340.41, 26:16-3340.50.3
Oil and gas, environmental protection of public lands, 26:2-2142
Radiation
See RADIATION
Spills of hazardous substances, 26:13-1166
Water pollution and control
See WATER POLLUTION AND CONTROL
Water recycling
–Engineering reports, 26:22-60323
–Operating reports, 26:22-60329
–Untreated discharge, 26:22-60329
Water supply
See WATER

RESEARCH AND DEVELOPMENT
Radiation, 26:17-30195

RESERVOIRS, 26:22-64600-26:22-64604
See also generally WATER
Distribution reservoirs, 26:22-64600-26:22-64604
–Corrosion protection, 26:22-64604
–Design standards, 26:22-64600
–Subsurface, 26:22-64602

RIVERS AND STREAMS
Chaparral management program, 26:14-1569.2
Forest improvement program, 26:14-1545.1
State forests, pollution prohibited, 26:14-1422

RODENTICIDES
Food plants, use restrictions, 26:17-12255

RODENTS
Exterminators, use of bacterial cultures prohibited, 26:17-7925
Poisons
See PESTICIDES
Rodenticides, use in food plants, 26:17-12255
Vector control technicians, certification requirements
–Continuing education requirements, 26:17-30061
–Denial, 26:17-30058
–Examinations, 26:17-30055-26:17-30056.4
–Processing, 26:17-30056.5
–Revocation or suspension, 26:17-30058

RUBBISH
See WASTE DISPOSAL

S

SAFETY
See also EMERGENCY SERVICES OFFICE; FIRE PREVENTION
Pipelines, hazardous liquids
See HAZARDOUS LIQUID PIPELINE SAFETY
Radioactive materials, 26:17-30345.1-26:17-30353
Wastewater treatment and reclamation plants, 26:22-60401
Well logging, use of radioactive materials, 26:17-30345.1-26:17-30353
X-ray equipment operators, 26:17-30305

SAMPLING METHODS
See MONITORING

SANITATION
Parks and recreation areas, 26:14-4324

SANITIZATION
Home furnishing fillings, 26:4-1251-26:4-1266
–Applications, 26:4-1251
–Baled filling material, 26:4-1258
–Chemical method, 26:4-1264
–Disinfection, 26:4-1265
–Dry heat method, 26:4-1260
–Labels, 26:4-1266
–Methods, 26:4-1258-26:4-1265
–Recordkeeping requirements, 26:4-1256
–Secondhand material, 26:4-1258

SECONDHAND MERCHANDISE
Home furnishings, sanitization, 26:4-1258, 26:4-1266

SECURITY BONDS
See BONDS, SECURITY

SEEDS
Noxious weeds, permit for possession and transportation, 26:3-300

SELENIUM
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

SEWAGE AND SEWAGE SYSTEMS
See WASTEWATER TREATMENT AND RECLAMATION

SIGNS
Agricultural hazardous material release, warning signs, 26:19-2733, 26:19-2734
Motor vehicle smog check stations, 26:16-3340.22
Radioactive materials, caution signs and labels, 26:17-30278.1

SILVER
Water contamination, consumer confidence reports, 26:22-64481 Appx. B

SILVEX
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

SILVICULTURE
See FORESTRY

SIMAZINE
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

SMOG
Motor vehicles
See MOTOR VEHICLES, subheading: Smog check program

SODIUM
Water contamination
–Consumer confidence reports, 26:22-64481

SOLID HAZARDOUS WASTES
See generally HAZARDOUS WASTES

SOLID WASTE
See generally WASTE DISPOSAL

SPILLS
Hazardous substances, reporting requirements, 26:13-1166
Hazardous wastes, emergency response training
See EMERGENCY SERVICES OFFICE, subheading: Hazardous substances emergency response training
Oil
See OIL SPILL PREVENTION AND RESPONSE

SQUIRRELS
See RODENTS

STATE FORESTS
See also FORESTRY
Camping, water pollution prohibited, 26:14-1422

STATE PARKS
See generally PARKS AND RECREATION

STERILIZATION
Home furnishing fillings
See SANITIZATION

STREAMS
See RIVERS AND STREAMS

STRONTIUM
Water contamination, 26:22-64443
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-C

STRUCTURAL PEST CONTROL BOARD
See also PEST CONTROLLERS
Definitions, 26:16-1970.1, 26:16-1970.3

STYRENE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

SULFATES
Water contamination, consumer confidence reports, 26:22-64481 Appx. B

SUMPS
Oil and gas operations, environmental protection, 26:14-1770

SURETY BONDS
See BONDS, SECURITY

SURFACE WATER
See also generally WATER
Disinfection standards, 26:22-64654

SWINE
Garbage-fed swine, permit processing time, 26:3-300

SYNTHETIC ORGANIC CHEMICALS
Water contamination, notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

T

TANKERS
Milk tankers, permit processing times, 26:3-300

TANKS
Transportation of hazardous waste cargo tanks
See HAZARDOUS MATERIALS, TRANSPORTATION
Underground storage tanks, hazardous material transportation exemption, 26:13-1160.1

TAXATION
See BUSINESS TAXES

TCDD
Water contamination, 26:22-64445.1

TEACHER CREDENTIALS
Hazardous materials instructor, 26:19-2530, 26:19-2540

TERMITES
See generally PEST CONTROLLERS; PESTICIDES

TERT AMYL METHYL ETHER
Water monitoring requirements, notice of results, 26:22-64466

TERT-BUTYL ALCOHOL
Water monitoring requirements, notice of results, 26:22-64466

TESTING
Coliform, public water system, 26:22-64422-26:22-64427
Hazardous liquid pipeline safety, approval of testing firms and personnel, 26:19-2060
Injection wells, 26:14-1724.10
Laboratories, water testing laboratories, 26:22-64415
Oil and gas, onshore injection wells, 26:14-1724.10
Radiation
See RADIATION
Wastewater
See WASTEWATER TREATMENT AND RECLAMATION
Water testing laboratories
See WATER POLLUTION AND CONTROL, subheading: Testing laboratories
Well logging, radiation source leaks, 26:17-30346.3

TETRACHLOROETHANE
Water contamination
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

TETRACHLOROETHYLENE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

THALLIUM
Water contamination, 26:22-64431
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-D

THIOBENCARB
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. B
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

TIMBER
See FORESTRY

TIRES
Metal studded tires prohibited on toll bridges, 26:21-1401.2

TOLL BRIDGES
Compliance with regulations, evidence of, 26:21-1401.4
Prohibited vehicles and loads, 26:21-1401.2

TOLUENE
Water contamination, 26:22-64444
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

TOTAL TRIHALOMETHANES
Water contamination
–Consumer confidence reports, 26:22-64481 Appx. A

TOXAPHENE
Water contamination, 26:22-64444, 26:22-64445.1

TOXAPHENE–*continued*
Water contamination–*continued*
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

TOXICS
See HAZARDOUS SUBSTANCES; HAZARDOUS WASTES

TP (SILVEX)
Water contamination
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-F

TRAINING
Hazardous substance emergency response training
See EMERGENCY SERVICES OFFICE, subheading: Hazardous substances emergency response training
Radioactive materials
–Radiographic operations other than medical, 26:17-30333
–Well logging personnel, 26:17-30348.1
–X-ray technicians, on-the-job training, 26:17-30428

TRANSPORTATION
See also AIR TRANSPORTATION; MOTOR CARRIERS
Anhydrous ammonia, transportation exemption, 26:13-1160.1
Animals, motor carriers transporting, 26:13-1216
Cargo tanks, hazardous wastes
See HAZARDOUS MATERIALS, TRANSPORTATION
Common carriers
See COMMON CARRIERS
Hazardous materials
See HAZARDOUS MATERIALS, TRANSPORTATION
Licensing, hazardous materials transporters, 26:13-1160.4
Liquefied petroleum gas, 26:13-1160.1
Permits, hazardous materials, 26:13-1160.4
Radioactive materials, 26:17-30373
Toll bridges, prohibited vehicles and loads, 26:21-1401.2

TRASH
See generally WASTE DISPOSAL

TREATMENT PLANTS
Infectious wastes
See INFECTIOUS WASTE TREATMENT FACILITIES
Wastewater
See WASTEWATER TREATMENT AND RECLAMATION

TRICHLOROBENZENE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

TRICHLOROETHANE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

TRICHLOROETHYLENE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

TRICHLOROFLUOROMETHANE
Water contamination, 26:22-64444, 26:22-64445.1
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

TRICHLOROPROPANE
Water monitoring requirements, notice of results, 26:22-64466

TRICHLOROTRIFLUOROETHANE
Water contamination, consumer confidence reports, 26:22-64481 Appx. A

TRIHALOMETHANES
Water contamination, 26:22-64439
–Consumer confidence reports, 26:22-64481 Appx. A
–Disinfectants and byproducts
––Notice of potential adverse health effects, 26:22-64465 Appx. 64465-G

TRITIUM
Water contamination, 26:22-64443
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-C

TRUCKS
See MOTOR CARRIERS

TURBIDITY
Water systems
–Consumer confidence reports, 26:22-64481
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-A

U

UNDERGROUND INJECTION WELLS
See INJECTION WELLS

UNDERGROUND STORAGE TANKS
Hazardous material transportation exemption, 26:13-1160.1

URANIUM
Water contamination, 26:22-64443
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-C

UREA FORMALDEHYDE FOAM INSULATION, 26:20-1553

USED CARS
See generally MOTOR VEHICLES

V

VALVES
Water mains
See WATER MAINS

VANADIUM
Water monitoring requirements
–Notice of results, 26:22-64466

VANDALISM
Public water system, 26:22-64560

VECTOR CONTROL
See INSECTS; RODENTS

VEGETABLES
Direct marketing, producer license processing times under Permit Reform Act, 26:3-300

VEGETATION
Permit processing time, possession or transportation, 26:3-300
Protection
–Chaparral management program, 26:14-1569.1
–Forest improvement program, 26:14-1545

VEHICLES
See MOTOR VEHICLES

VETERINARIANS
X-ray equipment, 26:17-30314

VINYL CHLORIDE
Water contamination, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

VIOLATIONS
Pipeline safety
See HAZARDOUS LIQUID PIPELINE SAFETY
Radiation, notice by workers, 26:17-30254

VIRUSES
Surface water treatment, notice of potential adverse health effects, 26:22-64465 Appx. 64465-B

VOLATILE ORGANIC COMPOUNDS (VOCs)
Water contamination
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

W

WASTE DISPOSAL
Aircraft garbage, license processing time, 26:3-300
Boats
–Garbage disposal, 26:3-300
–Parks and recreation provisions, 26:14-4661
Hazardous wastes
See HAZARDOUS WASTES
Infectious wastes
See INFECTIOUS WASTE TREATMENT FACILITIES
Oil and gas operations, 26:14-1775
Oil spills
See OIL SPILL PREVENTION AND RESPONSE
Radioactive waste
See RADIOACTIVE WASTE DISPOSAL

WASTE SPILLS
See SPILLS

WASTEWATER TREATMENT AND RECLAMATION, 26:22-60303-26:22-60475
Alarms, 26:22-60335
Certification of treatment methods, 26:22-60400-26:22-60475
–Application, 26:22-60410
–Definitions, 26:22-60400-26:22-60406
––Health and safety claims, 26:22-60401
––Modification, 26:22-60406
––Testing requirements, 26:22-60405
–Fees, 26:22-60475
–Modification, 26:22-60406, 26:22-60425
–Period of certification, 26:22-60407
–Processing time, 26:22-60430
–Product data sheet, 26:22-60470
–Product labeling, 26:22-60465
–Renewal, 26:22-60430
–Testing requirements
See Testing, this heading
Definitions
–Certification of treatment methods, 26:22-60400-26:22-60406
See also Certification of treatment methods, this heading
–Health and safety claims, 26:22-60401
–Independent laboratory, 26:22-60402
–Manufacturer, 26:22-60403
–Modification of certification, 26:22-60406
–Recognized testing organization, 26:22-60404
–Testing, 26:22-60405
–Treatment methods
See Treatment methods, this heading
Fees, certification, 26:22-60475
Health and safety claims, definition, 26:22-60401

WASTEWATER TREATMENT AND RECLAMATION–*continued*
Independent laboratory, definition, 26:22-60402
Modification of certification, 26:22-60425
Personnel, 26:22-60325
Recognized testing organization, definition, 26:22-60404
Recycling criteria, 26:22-60303-26:22-60355
See also WATER RECYCLING
Testing, 26:22-60435-26:22-60460
–Definition, 26:22-60405
–Manufacturer's protocols, 26:22-60440-26:22-60455
––Extrapolation of data, 26:22-60455
––Prior test data, 26:22-60450
––Retesting, 26:22-60460
––Test data, 26:22-60445
–Water testing laboratories, 26:22-64415
Treatment methods
–Definitions
––Independent laboratory, 26:22-60402
––Manufacturer, 26:22-60403
––Recognized testing organization, 26:22-60404
–Health and safety claims, 26:22-60401
–Product data sheet, 26:22-60470
–Product labeling, 26:22-60465

WATER
Backflow, 26:22-64560
–Internal combustion engines, 26:22-64570
Bacteriological quality, 26:22-64421-26:22-64427
See also WATER POLLUTION AND CONTROL
Capacity, determination of, 26:22-64562-26:22-64564
Chemicals
–Inorganic
See WATER POLLUTION AND CONTROL
–Organic, 26:22-64444-26:22-64445.1
–Public water system, quality of, 26:22-64213
Community water system
See Public water system, this heading
Construction standards, 26:22-64555-26:22-64644
Contamination
See generally WATER POLLUTION AND CONTROL
Dams and reservoirs
See RESERVOIRS
Definitions, public water system construction standards, 26:22-64555
Design standards, 26:22-64560
Distribution reservoirs
See also RESERVOIRS
–Design standards, 26:22-64600
Domestic water quality and monitoring
See WATER POLLUTION AND CONTROL
Domestic water supply reservoirs
See generally RESERVOIRS
Drinking water
See Public water system, this heading
Exemptions, fluoridation systems, 26:22-64433
Fluoridation, public water system requirements, 26:22-64433
Ground water
See GROUND WATER
Hazardous wastes
See generally HAZARDOUS WASTES
Hazards, 26:22-64560
Inorganic chemicals and physical quality
See WATER POLLUTION AND CONTROL
Internal combustion engines, 26:22-64570
Mains, 26:22-64622-26:22-64644
See also WATER MAINS
National interim primary drinking water regulations, trihalomethane contamination, 26:22-64439
Operating pressure, 26:22-64566-26:22-64570
Organic chemicals, 26:22-64444-26:22-64445.1
See also WATER POLLUTION AND CONTROL
Pollution
See WATER POLLUTION AND CONTROL
Pressure, 26:22-64566-26:22-64570
–Internal combustion engines, 26:22-64570
Public water system, 26:22-64400-26:22-64470
–Additives, prohibitions, 26:22-64700

WATER–*continued*
Public water system–*continued*
–Backflow, 26:22-64560
––Internal combustion engines, 26:22-64570
–Bacteriological quality, 26:22-64212, 26:22-64421-26:22-64427
–Capacity, determination, 26:22-64562-26:22-64564
–Chemical quality, 26:22-64213
–Construction, 26:22-64555-26:22-64644
––Contamination regulations, 26:22-64417
––Definitions, 26:22-64555
––Design, 26:22-64560
––Notice to health services department, 26:22-64417
–Corrosion protection, distribution reservoirs, 26:22-64604
–Definitions, construction standards, 26:22-64555
–Design standards, 26:22-64560
––Distribution reservoirs, 26:22-64600
–Disinfection standards, 26:22-64654
–Distribution system, physical water quality, 26:22-64449.5
–Expansion, 26:22-64417
–Fluoridation system requirements, 26:22-64433
–Hazards, 26:22-64560
–Internal combustion engines, 26:22-64570
–Lead and copper standards, 26:22-64686
–Mutual associations prohibition, 26:22-64216
–National interim primary drinking water regulations, applicability
––Trihalomethanes, 26:22-64439
–Operating pressure, 26:22-64566-26:22-64570
–Organic chemicals, 26:22-64444-26:22-64445.1
–Permits, 26:22-64211
–Pressure, internal combustion engines, 26:22-64570
–Pumping stations, water sealed pumps, 26:22-64612
–Quantity of supply, 26:22-64562-26:22-64564
–Samples, distribution system, 26:22-64449.5
–Sanitary hazards, 26:22-64560
–Seal water, 26:22-64612
–Service connections, 26:22-64214
––Addition, 26:22-64568
––Design standards, 26:22-64644
–Source capacity, 26:22-64562-26:22-64564
–Source water monitoring and treatment, 26:22-64686
–Structural hazards, 26:22-64560
–Subsurface distribution reservoirs, 26:22-64602
–Supply requirements, 26:22-64215
–Surface water treatment, 26:22-64217
–Trihalomethane contamination, 26:22-64439
–Water sealed pumps, 26:22-64612
Quantity of supply, 26:22-64562-26:22-64564
Radioactivity
See WATER POLLUTION AND CONTROL
Reclamation of wastewater
See WASTEWATER TREATMENT AND RECLAMATION
Recycling
See WATER RECYCLING
Reservoirs
See RESERVOIRS
Rivers
See RIVERS AND STREAMS
Sanitary hazards, 26:22-64560
Seal water, 26:22-64612
Service connections
–Addition, 26:22-64568
–Design standards, 26:22-64644
Source capacity, 26:22-64562-26:22-64564
Streams
See RIVERS AND STREAMS
Structural hazards, 26:22-64560
Subsurface distribution reservoirs, 26:22-64602
Surface water treatment, public water system, 26:22-64217
Testing laboratories, 26:22-64415
Trihalomethane contamination, public water system, 26:22-64439
Wastewater
See WASTEWATER TREATMENT AND RECLAMATION

WATER–*continued*
Water sealed pumps, 26:22-64612

WATER-CONTACT SPORTS AREAS
See PARKS AND RECREATION

WATERCOURSES
See RIVERS AND STREAMS

WATER HEATERS
Insulation kits, 26:20-1564

WATER MAINS, 26:22-64622-26:22-64644
Air and vacuum relief valves, 26:22-64636
Diameter, 26:22-64628
Disinfection, 26:22-64630
Fire hydrant laterals, 26:22-64640
Flushing valves, 26:22-64642
Installation, 26:22-64624, 26:22-64630
Joints, 26:22-64638
Layout, 26:22-64626
Length of run, 26:22-64628
Materials, 26:22-64622
Pressure, 26:22-64566-26:22-64570
Selection, 26:22-64624
Separation distances, 26:22-64630
Service connections, 26:22-64644
Valves, 26:22-64632-26:22-64636
–Air and vacuum relief, 26:22-64636
–Fire hydrant shutoff, 26:22-64640
–Flushing valves, 26:22-64642
–Location, 26:22-64632
–Standards, 26:22-64634

WATER POLLUTION AND CONTROL, 26:22-64400-26:22-64475, 26:22-64560
See also specific contaminant by name
Applicability of regulations
–National interim primary drinking water regulations, 26:22-64439
–Secondary standards, 26:22-64449-26:22-64449.5
Backflow, 26:22-64560
–Internal combustion engines, 26:22-64570
Bacteriological quality, 26:22-64421-26:22-64427
–Best available technology, microbiological contaminants, 26:22-64447
–Coliform, maximum levels, 26:22-64426.1
–Distribution reservoirs, 26:22-64600
–Membrane filter technique, maximum contaminant levels, 26:22-64425
–Monitoring procedures, 26:22-64421
–Notice, 26:22-64421
––Potential adverse health effects, 26:22-64465 Appx. 64465-B
–Recordkeeping requirements, 26:22-64470
–Sampling, 26:22-64421
––Analysis of samples, 26:22-64423.1
––Invalidation, 26:22-64425
––Repeat sampling, 26:22-64424
––Reports, 26:22-64423.1
––Routine sampling, 26:22-64423
––Siting plan, 26:22-64422
–Sanitary survey, 26:22-64427
–Significant rise in bacterial count, 26:22-64426
Best available technology, microbiological contaminants, 26:22-64447
Chemicals
–Inorganic chemicals, maximum contaminant levels, 26:22-64431
–Organic
See Organic chemicals, this heading
Coliform
–Maximum levels, 26:22-64426.1
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-A, 26:22-64470
–Public water system, 26:22-64422-26:22-64427
Consumer confidence reports
–Contents, 26:22-64481 Appx. A
–Origins of contaminants
––Primary MCLs, 26:22-64481 Appx. A Appx. A
––Secondary MCLs, 26:22-64481 Appx. A Appx. B
Contaminant levels, maximum
See Maximum contaminant levels, this heading
Corrective actions
–Records, 26:22-64470
Definition, repeat compliance period, 26:22-64401
Distribution systems, physical water quality, 26:22-64449.5
E. coli, analysis and reporting, 26:22-64423.1
Expanded systems, approval, 26:22-64417
Ground water
See generally GROUND WATER
Hazardous wastes
See generally HAZARDOUS WASTES
Laboratories, water testing laboratories, 26:22-64415
Maximum contaminant levels
–Bacteriological quality, 26:22-64425
–Coliform, 26:22-64426.1
–Inorganic chemicals, 26:22-64431
–Organic chemicals, 26:22-64444
–Radioactivity, 26:22-64443
Microbiological contaminants, best available technology, 26:22-64447
National interim primary drinking water regulations, 26:22-64439
New systems, approval, 26:22-64417
Notice, 26:22-64463-26:22-64466
–Acute health risk, 26:22-64465
–Bacteriological quality, 26:22-64421
–Content, 26:22-64465
–Format, 26:22-64465
–General public notification, 26:22-64463
–Health effects language, 26:22-64465
–Tier 1, 26:22-64463.1
Oil spills
See OIL SPILL PREVENTION AND RESPONSE
Organic chemicals, 26:22-64444-26:22-64445.1
–Initial sampling, 26:22-64445
–Maximum contaminant levels, 26:22-64444
–Monitoring and sampling procedures, 26:22-64445.1
–Notice
––Potential adverse health effects, 26:22-64465 Appx. 64465-F
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E
Radioactive contaminants
–Man-made, 26:22-64443
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-C
Records, 26:22-64470
–Bacteriological quality, corrective actions, 26:22-64421
Reporting requirements, 26:22-64469
See also Notice, this heading
–Bacteriological quality, 26:22-64423.1
–Radioactivity, 26:22-64443
Sampling
–Bacteriological quality, 26:22-64421-26:22-64427
–Distribution systems, 26:22-64449.5
Seal water, 26:22-64612
Secondary standards, 26:22-64449-26:22-64449.5
Service connections, determination of, 26:22-64412
Standby source, use limitations, 26:22-64414
Surface water
See SURFACE WATER
Synthetic organic chemicals, notice of potential adverse health effects, 26:22-64465 Appx. 64465-F
Testing laboratories, 26:22-64415
Variances, recordkeeping requirements, 26:22-64470

WATER QUALITY
See generally WATER POLLUTION AND CONTROL

WATER RECLAMATION
See WASTEWATER TREATMENT AND RECLAMATION

WATER RECYCLING, 26:22-60303-26:22-60355
Alarms, 26:22-60335
–Recording, 26:22-60329
Analysis of water, 26:22-60321
Biological treatment, 26:22-60345
Bypasses, 26:22-60331
Coagulation, 26:22-60349
Design requirements, 26:22-60333-26:22-60337
Discharge, untreated
–Bypassing, 26:22-60331
–Reporting, 26:22-60329
Dual-plumbed facilities, design requirements, 26:22-60315
Emergency storage or disposal, 26:22-60341
Engineering reports, 26:22-60323
Filtration, 26:22-60351
Flexibility of operation, 26:22-60333
Groundwater recharge, 26:22-60320
Maintenance program, 26:22-60327
Operating records and reports, 26:22-60329
Operational requirements, 26:22-60323-26:22-60331
Personnel, 26:22-60325
Power supply, 26:22-60337
–Alarms, 26:22-60335
Primary effluent, 26:22-60339, 26:22-60343
Records
–Operating records, 26:22-60329
Reliability requirements, 26:22-60339-26:22-60355
–Alternatives, 26:22-60355
–Biological treatment, 26:22-60345
–Coagulation, 26:22-60349
–Disinfection, 26:22-60353
–Emergency storage and disposal, 26:22-60341
–Filtration, 26:22-60351
–Primary treatment, 26:22-60343
–Secondary sedimentation, 26:22-60347
Reports
–Engineering reports, 26:22-60323
–Operating reports, 26:22-60329
–Untreated discharge, 26:22-60329
Sample of water, 26:22-60321
Secondary sedimentation, 26:22-60347
Treatment methods, 26:22-60320.5, 26:22-60339-26:22-60475
–Primary effluent, 26:22-60339
Untreated discharge
–Bypassing, 26:22-60331
Use of recycled water
–Exceptions, 26:22-60303
–Impoundments, 26:22-60305

WATER STORAGE
See RESERVOIRS; WATER

WATER SUPPLY
See generally WATER

WATER SYSTEMS
See generally WATER

WEEDS, NOXIOUS
Permit, possession and transportation, 26:3-300

WELL LOGGING
Definitions, 26:17-30345.2
Particle accelerators, 26:17-30353
Radiation
–Agreements with well owner, 26:17-30346
–Detection instruments, ownership and use, 26:17-30346.2
–Labeling, 26:17-30346.1
–Licenses, 26:17-30345.3
–Operating and emergency procedures, 26:17-30348.2
–Personnel
––Monitoring, 26:17-30348.3
––Training, 26:17-30348.1
–Radioactive markers, 26:17-30346.9
–Recordkeeping requirements, 26:17-30350.1-26:17-30350.2
–Safety, 26:17-30345.1-26:17-30353
––Definitions, 26:17-30345.2
––Licenses, 26:17-30345.3
––Requirements, 26:17-30345.1
––Subsurface tracer materials, 26:17-30346.8
–Security measures, 26:17-30346.1, 26:17-30350
–Sources
––Contamination, 26:17-30348.5
––Design and performance criteria, 26:17-30346.6
––Inspection, maintenance and opening of source, 26:17-30346.7
––Inventory, 26:17-30346.4
––Leaks, testing, 26:17-30346.3

WELL LOGGING–*continued*
Radiation–*continued*
–Sources–*continued*
––Loss and abandonment of, 26:17-30350.3
––Recordkeeping requirements, 26:17-30346.5
–Surveys, 26:17-30348.4
––Instruments, calibration and ownership, 26:17-30346.2
–Transportation of materials, 26:17-30346.1
–Uranium sinker bars, 26:17-30346.10

WELLS
See INJECTION WELLS; OIL AND GAS; WELL LOGGING

WETLANDS
Chaparral management program, 26:14-1569.3
Forest improvement program, 26:14-1545.2

WHEELBARROWS
Toll bridges, prohibited vehicles, 26:21-1401.2

WHEELCHAIRS
Motor carriers transporting, 26:13-1216

WILD ANIMALS
Protection
–Chaparral management program, 26:14-1569.1
–Forest improvement program, 26:14-1545

WOOD DESTROYING ORGANISMS
Pest controllers
See PEST CONTROLLERS

X

X-RAY EQUIPMENT, 26:17-30305-26:17-30314
See also RADIOLOGIC TECHNOLOGY
Chest photofluorographic installations, 26:17-30310
Contraband-detection fluoroscopy, 26:17-30337
Definitions, 26:17-30306
Dental radiographic installations, 26:17-30311
Federal requirements, compliance, 26:17-30305
Fluoroscopic installations, 26:17-30307
Mobile radiographic equipment, 26:17-30309
Operators and supervisors
See RADIOLOGIC TECHNOLOGY
Radiographic equipment, mobile, 26:17-30309
Radiographic installations, 26:17-30308
–Dental, 26:17-30311
–Veterinary medicine, 26:17-30314
Safety rules, 26:17-30305
Technicians
–Limited permit X-ray technicians, 26:17-30442-26:17-30447
–On-the-job training, 26:17-30428
Therapeutic installations, 26:17-30312, 26:17-30313

XYLENE
Water pollution, 26:22-64444
–Consumer confidence reports, 26:22-64481 Appx. A
–Notice of potential adverse health effects, 26:22-64465 Appx. 64465-E

Z

ZINC
Water pollution
–Consumer confidence reports, 26:22-64481 Appx. A